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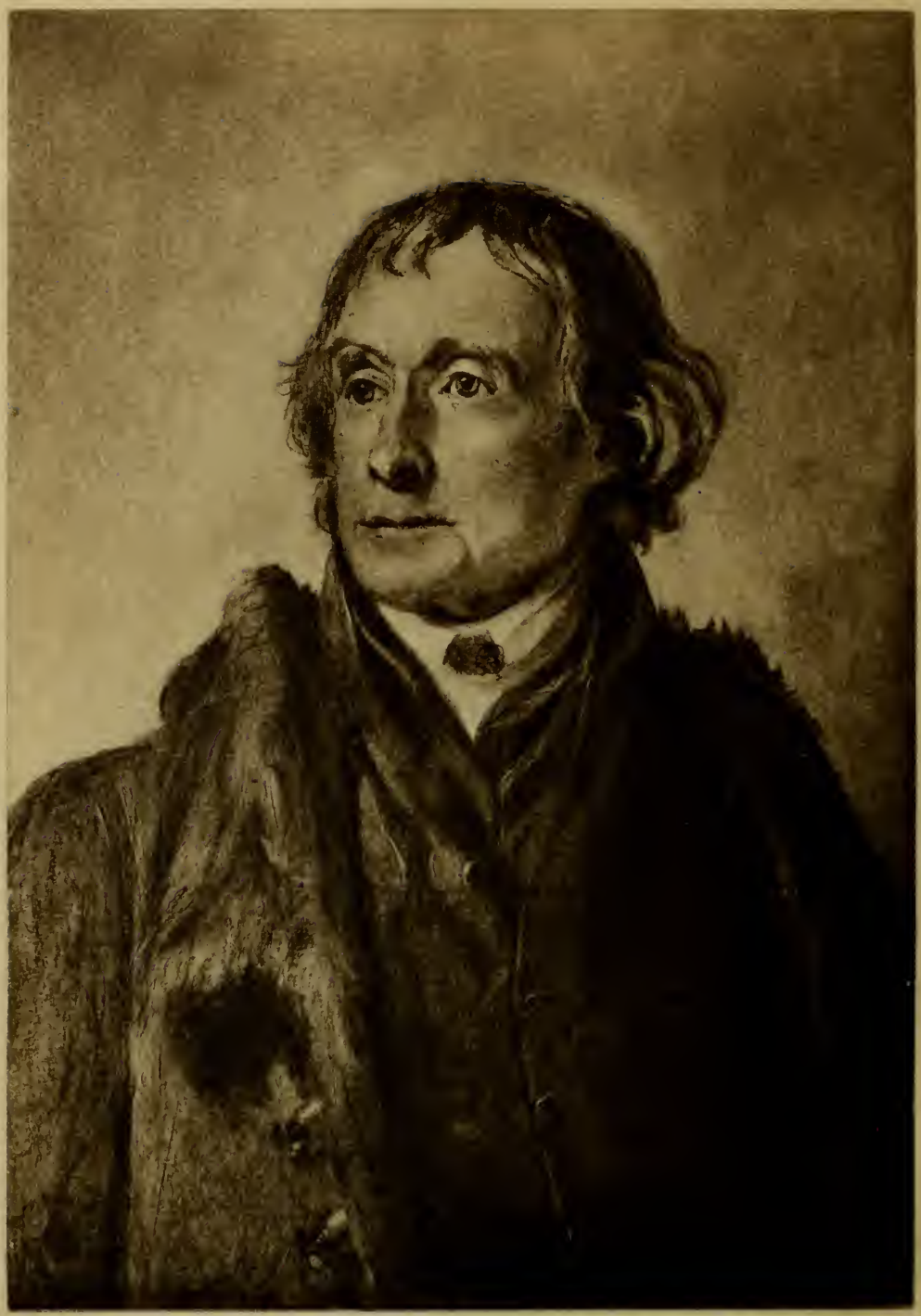

Jefferson at Seventy-eight

Photogravure from the Original Painting by Thomas Sully, owned by the American Philosophical Society at Philadelphia.

The last life portrait of Thomas Jefferson, painted five years before his death, was originally ordered by the authorities of the United States Military Academy at West Point. From it Sully painted the full-length portrait of Jefferson, now in possession of the Military Academy.

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THE WRITINGS OF
THOMAS JEFFERSON

Definitive Edition

CONTAINING HIS

AUTOBIOGRAPHY, NOTES ON VIRGINIA, PARLIAMENTARY MANUAL, OFFICIAL PAPERS, MESSAGES AND ADDRESSES, AND OTHER WRITINGS, OFFICIAL AND PRIVATE, NOW . LECTED AND

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WITH NUMEROUS ILLUSTRATIONS

AND

A COMPREHENSIVE ANALYTICAL INDEX

14636

ALBERT ELLERY BERGH
EDITOR

VOL. XI.

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THE THOMAS JEFFERSON MEMORIAL ASSOCIATION
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1907

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JEFFERSON'S VERSATILITY.

Its versatility was one of the most striking features of Thomas Jefferson's exquisite mind, which was both telescopic and microscopic in its range and operations. Shakespeare has been denominated "the Myriad-Minded." That description may be applied to Jefferson without exaggeration or bad taste.

Lord Bacon declared that he took all knowledge for his province, which Jefferson appears to have done also, although he never so stated or intimated. His bent was toward Philosophy, and the Philosophical Society of Paris voted him a gold medal for inventing a plow with mould-board of least resistance.

Sir Isaac Newton is much and justly lauded by historians for devising a plan for milling the edge of coins; but Jefferson accomplished so many things of importance in so many fields of human endeavor that little mention is made of the fact that he invented our system of Coinage, Weights and Measures—based on the Decimal Notation—thereby conferring an inestimable boon upon his countrymen.

Had he not been drawn by circumstances into the swirl of politics, he would as a Scientist have ranked with the Father of Inductive Philosophy, with the

Discoverer of the Law of Gravitation and with the Captor of the Lightning.

It is conceded by all his associates, whether friend or foe—and he had a full complement of both—that he thoroughly mastered the Law, to accomplish which task Lord Eldon asserted that "one must live like a hermit and work like a horse." Jefferson subscribed to the last half of Eldon's dictum, but scorned the first half utterly, for all his days he was the most sociable of mortals, being at home equally with the plain people and with the greatest of the sons of men.

While Mathematics were such a perpetual delight to him that he habitually carried with him a pocket-book of Logarithms as an aid in intricate calculations, he was thoroughly grounded in Greek, Latin, French and Italian, and was *in posse* as universal a linguist as Elihu Burritt, "The Learned Blacksmith." With much labor, indefatigable industry and infinite patience, he collected fifty Indian vocabularies, the loss of which by theft he mourned always.

As a Presidential scholar, he stands in a class with John Quincy Adams and James Abram Garfield. He was so "cunning with his pen," to borrow a happy phrase from John Adams, that in point of literary excellence his "Summary View of the Rights of British America," his "Declaration of Independence" and his first Inaugural Address rank with Milton's Prose, the Letters of Alexander Pope and the Book of Common Prayer.

To please a friend and as a mental recreation he

wrote his "Notes on Virginia," which is an authority to this day and which is as pleasant reading as Goldsmith's "Animated Nature," and much more instructive.

He possessed fine musical talent and was a famous fiddler, drawing the bow with the zest of Paganini and Ole Bull.

He was familiar with all systems of architecture and knew more about them than any other American of his generation.

Agriculture was his hobby; he did more for its promotion than any other statesman that ever lived, and deserves to be the perpetual Emeritus President of the Patrons of Husbandry. He was the first man on this continent to reduce farming to a science. He divided his lands into plots and kept an accurate account with each, so that he could ascertain what sorts of crops were suited to particular soils. He obtained, for the planters of the South, Turin rice, which has proved a source of vast wealth to that section. He imported the first Merino sheep, which are a great success, and experimented with Fat-tail sheep, which did not flourish in our climate. While controlling the multitudinous and multifarious affairs of a nascent Republic, he somehow found time to personally establish and conduct a miniature Agricultural Department, Botanical Garden and Weather Bureau, to make Meteorological observations three times a day through a long series of years, and to note minutely the first appearance in the market and

upon the table of each particular species of vegetable, fruit and grain, grown in this latitude.

He had made a profound study of the fauna and flora of America, and was a lover of flowers, shrubs, trees and animals. He was a skilful horseman, and until the day of his death, when past the Psalmist's extreme allotment of fourscore years, he would ride nothing but the pick and choice of Virginia thoroughbreds. Some of his favorite saddle-horses, notably "Wildair" and "Eagle," have reputations as enduring as Alexander's "Bucephalus," Napoleon's "Marengo," Wellington's "Copenhagen," Robert E. Lee's "Traveler," Stonewall Jackson's "Old Sorrel" or Philip H. Sheridan's "Rienzi."

Believing with all his heart that the intelligence of the masses is the true basis of free government, in his younger days he evolved the system of Public Schools now in vogue, which we boast is the chief bulwark of our liberties, and after retiring from the Presidency, founded the University of Virginia—one of the greatest institutions of learning on the whole face of the earth. By these two achievements—to say nothing of his political teachings—he has perhaps exerted a wider influence over the minds of men than any of his predecessors or successors in the Chief Magistracy of the Republic.

He must be counted among the greatest Lawgivers of all time. By abolishing the unjust and unnatural rule of Primogeniture he conferred a permanent benefaction upon his fellow citizens, and

his Statute of Religious Freedom is one of the three things on which he chose to rest his fame in his celebrated epitaph and which he deemed his clearest titles to the gratitude of future generations. Had his scheme of Gradual and Rational Emancipation been adopted, the chances are that we would have escaped the countless horrors and calamities of the war between the States. He, and not Nathan Dane, was the real author of the ordinance for the government of the Northwest Territory, although Daniel Webster undertook to give the honor to the latter. Jefferson was virtually the author of the first ten amendments to the Constitution of the United States, which are in the nature of a Bill of Rights, and which contain the essence of human freedom.

Napoleon declared that he would descend to posterity with his Code in his hand. Senator Hoar has said most felicitously that Jefferson comes down to us with the Declaration of Independence in one hand and the Louisiana Purchase in the other, but he will be largely and gratefully remembered for his wisdom as a Legislator for both State and Nation.

He was so thoroughly grounded in the principles of government of the people, by the people and for the people, that he was a potent factor in two Revolutions—one in America, the other in France—the purpose of which was to establish the twin propositions that "All men are created equal" and that "Governments derive their just powers from the consent of the governed." So clear was his vision

as a Statesman that after a century of legislation we have not attained his lofty standard of political conduct. The strongest proof of his versatility is the fact that he is more frequently quoted than any other Statesman the world has ever known.

Maryland Signers

(*Declaration of Independence.*)

The Reproductions are from the Original Paintings in Independence Hall, Philadelphia.

Charles Carroll, of Carrollton (1737-1832), born in Annapolis; was, while a child, taken by his father to France, where he was educated. His talent turned toward the law, and in 1757 he left France and went to London to complete his law studies at the Temple. Leaving England in 1764, he returned home to become a strong partisan in the cause for his country's liberty. At that time he was accounted the richest man in the Colonies. In February, 1776, he received an appointment, together with Franklin and Chase, to persuade Canada to join the Colonies. Failing in this mission, he came back to his native State and successfully urged the Maryland delegates in Congress to join in a resolution of Independence, June 28, 1776. He was a delegate to the Continental Congress from 1776 to 1778. He was one of the Committee to draft the Constitution of Maryland, and was elected United States Senator in 1788; also chosen as one of the commissioners to settle the boundary line between Virginia and Maryland. Charles Carroll outlived all the other signers of the "Declaration," and on July 4, 1828, when over ninety years of age, a magnificent public celebration was given in his honor. (*Reproduced from the Original Painting by Charles Wilson Peale.*)

Thomas Stone (1743-1787), born at Pointon Manor, Charles County; was a descendant of William Stone, Governor of the State during the Protectorate of Oliver Cromwell. He studied law with Thomas Johnson at Annapolis. Elected a member of the Continental Congress in 1775, where he remained till 1779; again a member in 1783-84, the latter part of which term he acted as president *pro tempore*. He served on a committee charged to prepare a plan of confederation and was made a delegate to the Convention of 1787, which was formed to prepare the Constitution of the United States, but circumstances forced him to decline the appointment. (*Reproduced from the Painting by Mayer after the Original Painting by Charles Wilson Peale.*)

William Paca (1740-1799), born at Wye Hall, Harford County; after the completion of his preparatory studies at Philadelphia College he went to London in 1762 and studied law. As early as 1771, while practicing his profession at Annapolis, he entered the legislature. In 1774 he was a member of the Committee of Correspondence, the same year becoming a delegate to the Continental Congress, where he remained till 1779. In turn he held the offices of State Senator, Chief Justice of the Supreme Court of Maryland, and Chief Judge of the Court of Appeals. In 1782 he was elected Governor, and in 1788 was a member of the Convention which ratified the Constitution of the United States. (*Reproduced from the Painting by Mayer after the Original Painting by Charles Wilson Peale.*)

Samuel Chase (1741-1811), born in Somerset County; during the Revolutionary period he was the leader of the patriots in his State. He was a member of the Committee of Correspondence and a delegate to the Continental Congress from 1774 to 1779. In 1776 he was chosen, with Franklin and Carroll, as a Commissioner to Canada to unite that country with the Colonies. He was a member of the Convention of 1788, formed to consider the Constitution of the United States. In 1791 he became Chief Justice of the General Court of Maryland, and five years later was nominated an Associate Justice of the United States Supreme Court, where he remained up to the time of his death. (*Reproduced from the Original Painting by Charles Wilson Peale.*)

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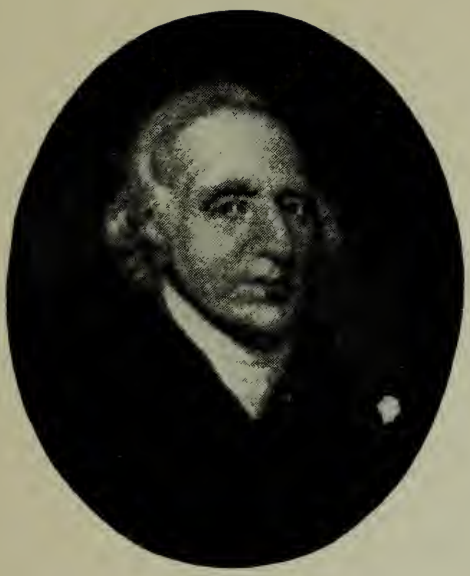
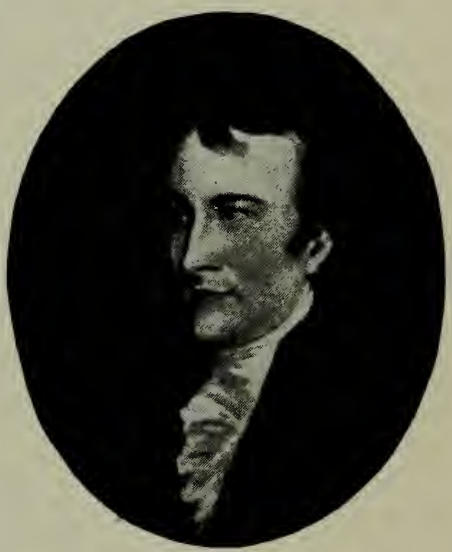


CHARLES CARROLL

SAMUEL CHASE

WILLIAM PACA



THOMAS STONE

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Letter of Thomas Jefferson to Harry Innes

(*January 23, 1800.*)

Fac-simile of the Original Draft in Jefferson's handwriting.

Harry Innes was a Virginian by birth, though spending the greater part of his life in Kentucky, where he held prominent offices. Jefferson and Innes corresponded during a period of fifteen years, the subject of the epistles being mainly on natural history and questions of law. (See same letter in Volume X, page 143.)

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Philadelphia Jan. 23. 1800

Your favor of Dec. 6. I received here on the 30th. of the same month, and have to thank you for the papers it contained. They serve to prove that if Cressap was not of the party of Logan's murderers, yet no injury was done his character by believing it. I shall while here this winter publish such material testimony on the subject as I have received; which by the kindness of my friends will be amply sufficient. It will appear that the Sad was generally imposed to cressap by both white & Indians that his character was justly stained with their blood perhaps that he ordered this transaction, but that he was not himself present at the time. I shall consequently make a proper change in the text of the Notes on Virginia, to be adopted if any future edition of that work should be printed.

With respect to the judiciary district to be established for the Western states nothing can be wilder than to annex to them any state on the Western waters. I do not know what may be the disposition of the House of Representatives on that subject, but I would hope, from what I recollect of them manifested by the Senate on the same subject at the former session that they may be induced to set off the Western country in a distinct district, and hope that the reason of the thing must bring both houses into the measure.

The Mississippi territory has pretended to be placed at once in what is called the second stage of government. Nearly such a government as the first form presented for the territories is a regular oligarchy without one rational object.

I had adopted the enclosed letters to the care of the postmaster at Louisville and not having him, I have concluded it better to ask the favor of you to [illegible] of any passage which may offer down the river. I presume the boat [illegible] at those places.

We have wonderful rumors here at this time, one that the king of England is dead, as this would ensure a general peace, I do not know that [illegible] Immediately.

it would be any misfortune to humanity. the other is that Buonaparte, Sieyes, & Ducos have usurped the French government. this is West-India news, and shews that after killing Buonaparte a thousand times they have still a variety of parts to be acted by him. were it really true —— —— while I was writing the last word a gentleman enters my room, and brings a confirmation that something has happened at Paris. this is arrived by New York by a ship from Corke. the particulars differ from the West India account. we are therefore only to believe that a revolution of some kind has taken place, & that Buonaparte is at the head of it. but what are the particulars & what the object we must wait with patience to learn. in the mean time we may speak hypothetically. if Buonaparte declares for royalty either in his own person or of Louis XVIII. he has but a few days to live. in a nation of so much enthusiasm there must be a million of Brutuses who will devote themselves to death to destroy him. but, without much faith in Buonaparte's heart, I have so much in his head, as to indulge another train of reflection. the republican world has been long looking with anxiety on the two experiments going on of a single elective executive here, & a plurality there. opinions have been considerably divided on the event in both countries. the greater opinion there has seemed to be heretofore in favor of a plurality. here it has been very generally, tho not universally in favor of a single elective executive. after 8 or 9 years experience of perpetual broils & factions in their directory, a standing division (under all changes) of 3. against 2. which results in a government by a single opinion, it is possible they may think the experiment decided in favor of our form, and that Buonaparte may be for a single executive, limited in time & power, & flatter himself with the election to that office; & that to this change the nation may rally itself. perhaps it is the only one to which all parties could be rallied. in every case it is to be feared & deplored that that nation has yet to wade through half a century of disorder & convulsion. these however are conjectures only, which you will take as such, and accept assurances of the great esteem & attachment of Dear Sir

Your friend & servt

Th Jefferson

ILLUSTRATIONS.

JEFFERSON AT SEVENTY-EIGHT ..... *Frontispiece*

Photogravure from the Original Painting by Thomas Sully, and owned by the American Philosophical Society at Philadelphia.

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THE MARYLAND SIGNERS vi

Reproduced from the Original Paintings in Independence Hall, Philadelphia.

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Fac-simile of the Original Draft in Jefferson's own handwriting.

JEFFERSON'S WORKS.

LETTERS WRITTEN AFTER HIS RETURN TO THE UNITED STATES.

1789–1826.

TO JEAN BAPTISTE SAY.

WASHINGTON, February 1, 1804.

DEAR SIR,—I have to acknowledge the receipt of your obliging letter, and with it, of two very interesting volumes on Political Economy. These found me engaged in giving the leisure moments I rarely find, to the perusal of Malthus' work on population, a work of sound logic, in which some of the opinions of Adam Smith, as well as of the economists, are ably examined. I was pleased, on turning to some chapters where you treat the same questions, to find his opinions corroborated by yours. I shall proceed to the reading of your work with great pleasure. In the meantime, the present conveyance, by a gentleman of my family going to Paris, is too safe to hazard a delay in making my acknowledgments for this mark of attention, and for having

afforded to me a satisfaction, which the ordinary course of literary communications could not have given me for a considerable time.

The differences of circumstance between this and the old countries of Europe, furnish differences of fact whereon to reason, in questions of political economy, and will consequently produce sometimes a difference of result. There, for instance, the quantity of food is fixed, or increasing in a slow and only arithmetical ratio, and the proportion is limited by the same ratio. Supernumerary births consequently add only to your mortality. Here the immense extent of uncultivated and fertile lands enables every one who will labor, to marry young, and to raise a family of any size. Our food, then, may increase geometrically with our laborers, and our births, however multiplied, become effective. Again, there the best distribution of labor is supposed to be that which places the manufacturing hands alongside the agricultural; so that the one part shall feed both, and the other part furnish both with clothes and other comforts. Would that be best here? Egoism and first appearances say yes. Or would it be better that all our laborers should be employed in agriculture? In this case a double or treble portion of fertile lands would be brought into culture; a double or treble creation of food be produced, and its surplus go to nourish the now perishing births of Europe, who in return would manufacture and send us in exchange our clothes and other

comforts. Morality listens to this, and so invariably do the laws of nature create our duties and interests, that when they seem to be at variance, we ought to suspect some fallacy in our reasonings. In solving this question, too, we should allow its just weight to the moral and physical preference of the agricultural, over the manufacturing, man. My occupations permit me only to ask questions. They deny me the time, if I had the information, to answer them. Perhaps, as worthy the attention of the author of the *Traité d'Economie Politique*, I shall find them answered in that work. If they are not, the reason will have been that you wrote for Europe; while I shall have asked them because I think for America. Accept, Sir, my respectful salutations, and assurances of great consideration.

TO RUFUS KING, ESQ.

WASHINGTON, February 17, 1804.

DEAR SIR,—I now return you the manuscript history of Bacon's rebellion, with many thanks for the communication. It is really a valuable morsel in the history of Virginia. That transaction is the more marked, as it was the only rebellion or insurrection which had ever taken place in the colony before the American Revolution. Neither its cause nor course have been well understood, the public records containing little on the subject. It is very long since I read the several histories of Virginia,

but the impression remaining on my mind was not at all that which the writer gives; and it is impossible to refuse assent to the candor and simplicity of history. I have taken the liberty of copying it, which has been the reason of the detention of it. I had an opportunity, too, of communicating it to a person who was just putting into the press a history of Virginia, but all in a situation to be corrected. I think it possible that among the ancient manuscripts I possess at Monticello, I may be able to trace the author. I shall endeavor to do it the first visit I make to that place, and if with success, I will do myself the pleasure of communicating it to you. From the public records there is no hope, as they were destroyed by the British, I believe, very completely, during their invasion of Virginia. Accept my salutations, and assurances of high consideration and respect.

TO THE SECRETARY OF THE TREASURY.
(ALBERT GALLATIN.)

February 19, 1804.

Doctor Stevens having been sent by the preceding administration, in 1798, to St. Domingo, with the commission of consul-general, and also with authorities as an agent additional to the consular powers, under a stipulation that his expenses should be borne; an account of these is now exhibited to the Secretary of State, and the questions arise whether

the payment can be authorized by the Executive, and out of what fund?

The Constitution has made the Executive the organ for managing our intercourse with foreign nations. It authorizes him to appoint and receive ambassadors, other public ministers, and consuls. The term minister being applicable to other agents as well as diplomatic, the constant practice of the government, considered as a commentary, established this broad meaning; and the public interest approves it; because it would be extravagant to employ a diplomatic minister for a business which a mere rider would execute. The Executive being thus charged with the foreign intercourse, no law has undertaken to prescribe its specific duties. The permanent act of 1801, however, first, where he uses the agency of a minister plenipotentiary, or chargé, restricts him in the sums to be allowed for outfit, salary, return, and a secretary; and second, when any law has appropriated a sum for the *contingent* expenses of foreign intercourse, leaves to his discretion to dispense with the exhibition of the vouchers of its expenditure in the public offices. Under these two standing provisions there is annually a sum appropriated for the expenses of intercourse with foreign nations. The *purposes* of the appropriation being expressed by the *law*, in terms as general as the *duties* are by the *Constitution*, the application of the money is left as much to the discretion of the Executive, as the performance of the duties, saving always the provisions of 1801.

It is true that this appropriation is usually made on an estimate, given by the Secretary of State to the Secretary of the Treasury, and by him reported to Congress. But Congress, aware that too minute a specification has its evil as well as a too general one, does not make the estimate a part of their law, but gives a sum in gross, trusting the Executive discretion for that year and that sum only; so in other departments, as of war for instance, the estimate of the Secretary specifies all the items of clothing, subsistence, pay, etc., of the army. And Congress throws this into such masses as they think best, to wit, a sum in gross for clothing, another for subsistence, a third for pay, etc., binding up the Executive discretion only by the sum, and the object generalized to a certain degree. The minute details of the estimate are thus dispensed with in point of obligation, and the discretion of the officer is enlarged to the limits of the classification, which Congress thinks it best for the public interest to make. In the case before us, then, the sum appropriated may be applied to any agency with a foreign nation, which the Constitution has made a part of the duty of the President, as the organ of foreign intercourse.

The sum appropriated is generally the exact amount of the estimate, but not always. In the present instance the estimate, being for 1803, was only of $62,550, (including two outfits,) and the appropriation was of $75,562, leaving a difference

of $13,012. If indeed, there be not enough of this appropriation left to pay Dr. Stevens' just demands, they cannot be paid until Congress shall make some appropriation applicable to them. I say his *just* demands, because by the undertaking of the then administration to pay his expenses, justice as well as law will understand his *reasonable* expenses. These must be tried by the scale which law and usage have established, whereon the Minister, Chargé, and Secretary, are given as fixed terms of comparison. The undefined agency of Dr. Stevens must be placed opposite to that term of the scale, with which it may fairly be thought to correspond; and if he has gone beyond that, his expenses should be reduced to it. I think them beyond it, and suppose that Dr. Stevens, viewing himself as a merchant, as well as a public agent, found it answer his purposes as a merchant to apply a part of his receipts in that character in addition to what he might reasonably expect from the public, not then meaning to charge to his public character the extraordinary style of expense which he believed at the time he could afford out of his mercantile profits.

[*Statement of Dr. Stevens' case, referred to in preceding letter.*]

The Constitution having provided that the President should appoint ambassadors, other public ministers and consuls, and all other officers which shall be established by law, the first Congress which

met passed a law (July 1, 1790) authorizing him to draw from the treasury $40,000 annually for the support of such persons as he shall commission to serve the United States in foreign parts, and for the expense incident to the business in which they may be employed; with a proviso that, exclusive of an outfit to a Minister Plenipotentiary or Chargé, not exceeding a year's salary, he should allow to any Minister Plenipotentiary not more than $9,000 a year, for all his personal services and other expenses; to a Chargé not more than $4,500; to a Secretary not more than $1,350; and with a second proviso as to the mode of settlement. This act, which was temporary, was continued by those of 1793, February 9, 1794, March 20, 1796, May 30, 1798, March 19, till 1800, May 10, when they turned the two provisos into enacting clauses, and made them permanent, and the appropriating clause which made the body of the law before, is now annually inserted in the general appropriating law. See 1800, May 7, 1801, March 3, 1802, May 1, 1803, March 2, and 1804, March —. As Congress, in order to limit the discretion of officers as far as is safe, is in the practice of throwing the objects of appropriations into groups, *e. g.*, to the Secretary of State, and clerks, and other persons in that department so much; Secretary of Treasury, etc., so much; clothing for the army so much; subsistence so much; pay so much, etc. So they might have analyzed the foreign appropriation by allow-

ing for outfits of ministers so much; salaries of ministers so much; contingent expenses so much, etc. But they chose to throw it all into one mass, only providing that no outfit should exceed a year's salary, and no salary of a Minister be more than $9,000; of a Chargé $4,500; Secretary $1,350, etc.; leaving the President free to give them less if he chose, and to give to Ambassadors, Envoys, and other agents, what he thought proper. From the origin of the present government to this day, the construction of the laws, and the practice under them, has been to consider the whole fund (with only the limitations before mentioned) as under the discretion of the President as to the persons he should commission to serve the United States in foreign parts, and all the expenses incident to the business in which they may be employed. The grade consequently or character in which they should be employed, their allowance, etc. Thus Governor Morris was appointed by General Washington informally and without a commission to confer with the British ministers, and was allowed for eight months (I think) $1,000. Colonel Humphreys was appointed in 1790, to go as an agent to Madrid, and was allowed at the rate of $2,250 per annum. Dumas was kept at the Hague many years as an agent at $1,300 a year. Mr. Cutting was allowed disbursements for sailors in London in 1791, $233.33. Presents were made to the Chevalier Luzerne, on taking leave, worth $1,062.

Van Berhel $697. Du Moustier $555, in 1791. Mr. Short was sent to Amsterdam as an agent in 1792, and allowed $444.43. James Blake was sent as agent to Madrid in 1793, and received an advance of $800. I know not how much afterwards, as I left the office of Secretary of State at the close of that year. In 1794, Mr. Jay was appointed Envoy Extraordinary, a grade not particularly named in the Constitution, or any law, yet General Washington fixed his allowance. During the present administration Mr. Dawson and Lieutenant Leonard have been sent on special agencies. From the beginning of the government it has been the rule when one of our ministers is ordered to another place on a special business, to allow his expenses on that special mission, his salary going on at his residence where his family remains. Mr. Short's mission from Paris to Amsterdam, from Paris to Madrid; Mr. Pinckney from London to Madrid; Mr. Murray's from the Hague to Paris, and others not recollected by me, are instances of this. These facts are stated to show that it has been the uniform opinion and practice that the whole foreign fund was placed by the Legislature on the footing of a contingent fund, in which they undertake no specifications, but leave the whole to the discretion of the President. The whole is but from forty to sixty or seventy thousand dollars. After the establishment of the general fund for foreign intercourse, Congress found it necessary to make a separate

branch for the Barbary powers. This was done covertly in the beginning, to wit, in 1792, they gave $50,000 additional to the foreign fund, in 1794, $1,000,000 additional without limiting it to Barbary. Yet it was secretly understood by the President, and his discretion was trusted. In 1796, they gave $260,000 for treaties with the Mediterranean powers, in 1797, $280,259.03, for the expenses of negotiation with Algiers. They did not undertake a more minute analysis or specification, but left it to the President. The laws of 1796, May 6, 1797, March 3, 1799, March 2, give sums for specific purposes because these purposes were simple and understood by the Legislature. But in general, in this branch of the foreign expenses, as in the former one, the Legislature has thought that to cramp the public service by too minute specifications in cases which they could not foresee, might do more evil than a temporary trust to the President, which could be put an end to if abused.

In our western governments, heretofore established, they were so well understood by Congress, that they could and did specify every item of expense, except a very small residuum for which they made contingent appropriations. But when they came to provide at this session for the Louisiana government, with which they were not acquainted, they gave twenty thousand dollars for compensation to the officers of the government employed by the President, and for other civil expenses under the

direction of the President. And their first step towards the acquisition of that country was to confide to the President two millions of dollars under the general appropriation for foreign intercourse. These facts show that so far from having experienced evil from confiding the forty thousand dollars, foreign fund, to the discretion of the Executive without a specific analysis of its application, they have continued it on that footing, and in many other great cases where analysis was difficult or inexpedient they have given the sums in mass, and left the analysis to him, only requiring an account to be rendered.

This statement has been made in order to place on its true ground the case of Doctor Stevens. He was employed by Mr. Adams as agent to St. Domingo, and was to be allowed his expenses, though these were not limited, yet the law limits them in such case to what were reasonable. Doubts have arisen at the treasury whether the Executive had a right to make such a contract, and whether there be any fund out of which it can be paid? Some doubt has been expressed whether an appropriation law gives authority to pay for the purpose of the appropriation without some particular law authorizing it. If this be the case, the forty thousand dollar fund has been paid away without authority from its first establishment; for it never has been given but by a clause of appropriation. The Executive believes this sufficient authority, and so we presume did the Legislature, or they would have given

authority in some other sufficient form. And where is the rule of legal construction to be found which ascribes less effect to the words of an appropriation law, than of any other law? It is also doubted whether the estimate on which an appropriation is founded does not restrain the application to the specific articles, their number and amount as stated in the estimate? Were an appropriation law to come before a judge would he decide its meaning from its text, or would he call on the officer to produce their estimates as being a part of the law? On the whole, the following questions are to be determined: 1. Whether the laws do not justify the construction which has been uniformly given, either strictly, or at least so ambiguously, that, as in judiciary cases, the decisions which have taken place have fixed their meaning and made it law? 2. Whether they are so palpably against law that the practice must be arrested? 3. Whether it shall be arrested retrospectively as to moneys engaged but not yet actually paid, or only as to future contracts? 4. Whether any circumstances take Dr. Stevens' case out of the conditions and rights of other foreign agencies?

March 23, 1804.

TO B. H. LATROBE.

WASHINGTON, February 28, 1804.

DEAR SIR—I am sorry the explanations attempted between Dr. Thornton and yourself, on the man-

ner of finishing the chamber of the House of Representatives, have not succeeded. At the original establishment of this place advertisements were published many months offering premiums for the best plans for a Capitol and a President's house. Many were sent in. A council was held by General Washington with the Board of Commissioners, and after very mature examination two were preferred, and the premiums given to their authors, Doctor Thornton and Hobens, and the plans were decided on. Hobens' has been executed. On Doctor Thornton's plan of the Capitol the north wing has been extended, and the south raised one story. In order to get along with any public undertaking it is necessary that some stability of plan be observed—nothing impedes progress so much as perpetual changes of design. I yield to this principle in the present case more willingly because the plan begun for the Representative room will, in my opinion, be more handsome and commodious than anything which can now be proposed on the same area. And though the spheroidical dome presents difficulties to the executor, yet they are not beyond his art; and it is to overcome difficulties that we employ men of genius. While, however, I express my opinion that we had better go through with this wing of the Capitol on the plan which has been settled, I would not be understood to suppose there does exist sufficient authority to control the original plan in any of its parts, and to accommodate it to

changes of circumstances. I only mean that it is not advisable to change that of this wing in its present stage. Though I have spoken of a spheroidical roof, that will not be correct by the figure. Every rib will be a portion of a circle of which the radius will be determined by the span and rise of each rib. Would it not be best to make the internal columns of well-burnt brick, moulded in portions of circles adapted to the diminution of the columns? Burlington, in his notes on Palladio, tells us that he found most of the buildings erected under Palladio's direction, and described in his architecture, to have their columns made of brick in this way and covered over with stucco. I know an instance of a range of six or eight columns in Virginia, twenty feet high, well proportioned and properly diminished, executed by a common bricklayer. The bases and capitals would of course be of hewn stone. I suggest this for your consideration, and tender you my friendly salutations.

TO ELBRIDGE GERRY.

WASHINGTON, March 3, 1804.

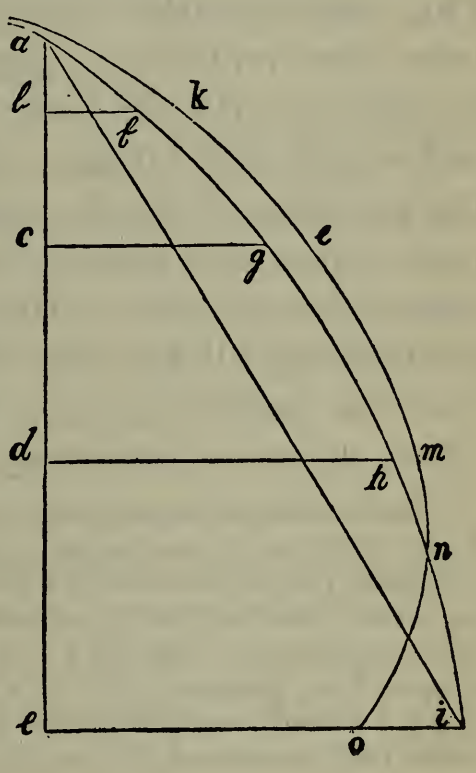
DEAR SIR,—Although it is long since I received your favor of October the 27th, yet I have not had leisure sooner to acknowledge it. In the middle and southern States, as great an union of sentiment has now taken place as is perhaps desirable. For as there will always be an opposition, I believe it had

better be from avowed monarchists than republicans. New York seems to be in danger of republican division; Vermont is solidly with us; Rhode Island with us on anomalous grounds; New Hampshire on the verge of the republican shore; Connecticut advancing towards it very slowly, but with steady step; your State only uncertain of making port at all. I had forgotten Delaware, which will be always uncertain, from the divided character of her citizens. If the amendment of the Constitution passes Rhode Island, (and we expect to hear in a day or two,) the election for the ensuing four years seems to present nothing formidable. I sincerely regret that the unbounded calumnies of the federal party have obliged me to throw myself on the verdict of my country for trial, my great desire having been to retire, at the end of the present term, to a life of tranquillity; and it was my decided purpose when I entered into office. They force my continuance. If we can keep the vessel of State as steadily in her course for another four years, my earthly purposes will be accomplished, and I shall be free to enjoy, as you are doing, my family, my farm, and my books. That your enjoyments may continue as long as you shall wish them, I sincerely pray, and tender you my friendly salutations, and assurances of great respect and esteem.

TO WILLIAM DUNBAR, ESQ.

WASHINGTON, March 13, 1804.

DEAR SIR,—Your favor of January 28 has been duly received, and I have read with great satisfaction your ingenuous paper on the subject of the Mississippi, which I shall immediately forward to the Philosophical Society, where it will be duly prized. To prove the value I set on it, and my wish that it may go to the public without any imperfection about it, I will take the liberty of submitting to your consideration the only passage which I think may require it. You say, page 9, "The velocity of rivers is greatest at the surface, and gradually diminishes downwards." And this principle enters into some subsequent parts of the paper, and has too much effect on the phenomena of that river not to merit mature consideration. I can but suppose it at variance with the law of motion in rivers. In strict theory, the velocity of water at any given depth in a river is (in addition to its velocity at its surface) whatever a body



would have acquired by falling through a space equal to that depth. If, in the middle of a river, we drop a vertical line, *a e*, from its surface to its bottom, and (using a perch, or rather a measure of 16.125 feet, for our unit of measure) we draw, at the depths, *b c d e*, (which suppose = 1.4 9.16 perch ordinates in the direction of the stream, equal to the odd numbers, 3, 5, 7, 9 perch, these ordinates will represent the additional velocities of the water per second of time, at the depth of their respective abscissæ, and will terminate in a curve, *a f g h i*,) which will represent the velocity of their current in every point, and the whole mass of water passing on in a second of time.[1] This would be the theory of the motion of rivers, were there no friction; but the bottom being rough, its friction with the lower sheet or lamina of water will retard that lamina; the friction or viscosity of the particles of which, again, with those of the one next above, will retard that somewhat less, the 2d retard the 3d, the 3d the 4th, and so on upwards, diminishing till the retardation becomes insensible; and the theoretic curve will be modified by that cause, as at *n o*, removing the maximum of motion

[1] These ordinates are arithmetical progressionals, each of which is double the root of its abscissa, plus unit. The equation, therefore, expressing the law of the curve is $y = 2 N x + 1$; that is, the velocity of the water of any depth will be double the root of that depth, plus unit. Were the line *a e* a wall, and *b f e g d h e i* troughs, along which water spouted from apertures at *b c d e*, their intersections with the curve at *f g h i* would mark the point in each trough to which the water would flow in a second of time, abating for friction.

from the bottom somewhere upwardly. Again, the same circumstances of friction and viscosity of the particles of water among themselves, will cause the lamina at the surface to be accelerated by the quicker motion of the one next below it, the 2d still more by the 3d, the 3d by the 4th, and so on downwards, the acceleration always increasing till it reached the lamina of greatest motion. The exact point of the maximum of motion cannot be calculated, because it depends on friction; but it is probably much nearer the bottom than top, because the greater power of the current there sooner overcomes the effect of the friction. Ultimately, the curve will be sensibly varied by being swelled outwardly above, and retracted inwardly below, somewhat like *a k l m n o*, in the preceding diagram.

Indulging corollaries on this theory, let us suppose a plane surface, as a large sheet of cast-iron, let down by a cable from a boat, and made to present its surface to the current by a long vane fixed on its axis in the direction of the current. Would not the current below, laying hold of this plate, draw the boat down the stream with more rapidity than that with which it otherwise moves on the surface of the water? Again, at the cross current of the surface which flows into the Chafaleya, and endangers the drawing boats into that river, as you mention, page 18, would not the same plane surface, if let down into the under current, which moves in the direction of the bed of the main river, have the effect of drawing the vessel

across the lateral current prevailing at its surface, and conduct the boat with safety along the channel of the river?

The preceding observations are submitted to your consideration. By drawing your attention to the subject, they will enable you, on further reflection, to confirm or correct your first opinion. If the latter, there would be time, before we print a volume, to make any alterations or additions to your paper which you might wish. We were much indebted for your communications on the subject of Louisiana. The substance of what was received from you, as well as others, was digested together and printed, without letting it be seen from whom the particulars came, as some were of a nature to excite ill-will. Of these publications I sent you a copy. On the subject of the limits of Louisiana, nothing was said therein, because we thought it best first to have explanations with Spain. In the first visit, after receiving the treaty, which I paid to Monticello, which was in August, I availed myself of what I have there, to investigate the limits. While I was in Europe, I had purchased everything I could lay my hands on which related to any part of America, and particularly had a pretty full collection of the English, French and Spanish authors, on the subject of Louisiana. The information I got from these was entirely satisfactory and I threw it into a shape which would easily take the form of a memorial. I now enclose you a copy of it. One single fact in it was taken from a publica-

tion in a newspaper, supposed to be written by Judge Bay, who had lived in West Florida. This asserted that the country from the Iberville to the Perdido was to this day called Louisiana, and a part of the government of Louisiana. I wrote to you to ascertain that fact, and received the information you were so kind as to send me; on the receipt of which, I changed the form of the assertion, so as to adapt it to what I suppose to be the fact, and to reconcile the testimony I have received, to wit, that though the name and division of West Florida have been retained; and in strictness, that country is still called by that name; yet it is also called Louisiana in common parlance, and even in some authentic public documents. The fact, however, is not of much importance. It would only have been an *argumentum ad hominem.* Although I would wish the paper enclosed never to be seen by anybody but yourself, and that it should not even be mentioned that the facts and opinions therein stated are founded in public authority, yet I have no objections to their being freely advanced in conversation, and as private and individual opinion, believing it will be advantageous that the extent of our rights should be known to the inhabitants of the country; and that however we may compromise on our Western limits, we never shall on the Eastern.

I formerly acquainted you with the mission of Captain Lewis up the Missouri, and across from its head to the Pacific. He takes about a dozen men

with him, is well provided with instruments, and qualified to give us the geography of the line he passes along with astronomical accuracy. He is now hutted opposite the mouth of the Missouri, ready to enter it on the opening of the season. He will be at least two years on the expedition. I propose to charge the Surveyor-General N. of Ohio, with a survey of the Mississippi from its source to the mouth of the Ohio, and with settling some other interesting points of geography in that quarter. Congress will probably authorize me to explore the greater waters on the western side of the Mississippi and Missouri, to their sources. In this case I should propose to send one party up the Panis river to its source, thence along the highlands to the source of the Radoncas river and down it to its mouth, giving the whole course of both parties, corrected by astronomical observation. These several surveys will enable us to prepare a map of Louisiana, which in its contour and main waters will be perfectly correct, and will give us a skeleton to be filled up with details hereafter. For what lies north of the Missouri, we suppose British industry will furnish that. As you live so near to the point of departure of the lowest expedition, and possess and can acquire so much better the information, which may direct that to the best advantage, I have thought, if Congress should authorize the enterprise, to propose to you the unprofitable trouble of directing it. The party would consist of ten or twelve picked soldiers, volunteers with an

officer, under the guidance of one or two persons qualified to survey and correct by observations of latitude and longitude, the latter lunar, and as well informed as we can get them in the departments of botany, natural history, and mineralogy. I am told there is a Mr. Walker in your town, and a Mr. Gillespie in North Carolina, possessing good qualifications. As you know them both, you can judge whether both are qualified, should two persons go, or which is best, should but one be sent, or whether there is any other person better qualified than either. Their pay would probably not exceed $1000 a year, to which would be added their subsistence. All preparations would be to be made at Natchez and New Orleans on your order. Instructions similar to those of Captain Lewis would go from here, to be added to by what should occur to yourself, and you would be the centre for the communications from the party to the government. Still this is a matter of speculation only, as Congress are hurrying over their business for adjournment, and may leave this article of it unfinished. In that case what I have said will be as if I had not said it.

There is such a difference of opinion in Congress as to the government to be given to Louisiana, that they may continue the present one another year. I hope and urge their not doing it, and the establishment of a government on the spot capable of meeting promptly its own emergencies. Accept my friendly salutations, and assurances of great esteem and respect.

TO GIDEON GRANGER.

MONTICELLO, April 16, 1804.

DEAR SIR,— * * * * * *

In our last conversation you mentioned a federal scheme afloat, of forming a coalition between the federalists and republicans, of what they called the seven eastern States. The idea was new to me, and after time for reflection I had no opportunity of conversing with you again. The federalists know, that, *eo nomine*, they are gone forever. Their object, therefore, is, how to return into power under some other form. Undoubtedly they have but one means, which is to divide the republicans, join the minority, and barter with them for the cloak of their name. I say, *join the minority;* because the majority of the republicans not needing them, will not buy them. The minority, having no other means of ruling the majority, will give a price for auxiliaries, and that price must be principle. It is true that the federalists, needing their numbers also, must also give a price, and principle is the coin they must pay in. Thus a bastard system of federo-republicanism will rise on the ruins of the true principles of our revolution. And when this party is formed, who will constitute the majority of it, which majority is then to dictate? Certainly the federalists. Thus their proposition of putting themselves into gear with the republican minority, is exactly like Roger Sherman's proposition to add Connecticut to Rhode Island. The idea

of forming seven eastern States is moreover clearly to form the basis of a separation of the Union. Is it possible that real republicans can be gulled by such a bait? And for what? What do they wish that they have not? Federal measures? That is impossible. Republican measures? Have they them not? Can any one deny, that in all important questions of principle, republicanism prevails? But do they want that their individual will shall govern the majority? They may purchase the gratification of this unjust wish, for a little time, at a great price; but the federalists must not have the passions of other men, if, after getting thus into the seat of power, they suffer themselves to be governed by their minority. This minority may say, that whenever they relapse into their own principles, they will quit them, and draw the seat from under them. They may quit them, indeed, but, in the meantime, all the venal will have become associated with them, and will give them a majority sufficient to keep them in place, and to enable them to eject the heterogeneous friends by whose aid they get again into power. I cannot believe any portion of real republicans will enter into this trap; and if they do, I do not believe they can carry with them the mass of their States, advancing so steadily as we see them, to an union of principle with their brethren. It will be found in this, as in all other similar cases, that crooked schemes will end by overwhelming their authors and coadjutors in disgrace, and that he alone who walks strict and

upright, and who, in matters of opinion, will be contented that others should be as free as himself, and acquiesce when his opinion is fairly overruled, will attain his object in the end. And that this may be the conduct of us all, I offer my sincere prayers, as well as for your health and happiness.

TO ALBERT GALLATIN.

May 30, 1804.

Although I know that it is best generally to assign no reason for a removal from office, yet there are also times when the declaration of a principle is advantageous. Such was the moment at which the New Haven letter appeared. It explained our principles to our friends, and they rallied to them. The public sentiment has taken a considerable stride since that, and seems to require that they should know again where we stand. I suggest therefore for your consideration, instead of the following passage in your letter to Bowen, "I think it due to candor at the same time to inform you, that I had for some time been determined to remove you from office, although a successor has not yet been appointed by the President, nor the precise time fixed for that purpose communicated to me;" to substitute this, "I think it due to candor at the same time to inform you, that the President considering that the patronage of public office should no longer be confided to one who uses it for active opposition to the national will, had, some

time since, determined to place your office in other hands. But a successor not being yet fixed on, I am not able to name the precise time when it will take place."

My own opinion is, that the declaration of this principle will meet the entire approbation of all moderate republicans, and will extort indulgence from the warmer ones. Seeing that we do not mean to leave arms in the hands of active enemies, they will care the less at our tolerance of the inactive. Nevertheless, if you are strongly of opinion against such a declaration, let the letter go as you had written it.

TO BARON ALEXANDER VON HUMBOLDT.

June 9, 1804.

Thomas Jefferson asks leave to observe to Baron de Humboldt that the question of limits of Louisiana, between Spain and the United States is this. They claim to hold to the river Mexicana or Sabine, and from the head of that northwardly along the heads of the waters of the Mississippi, to the head of the Red river and so on. We claim to the North river from its mouth to the source either of its eastern or western branch, thence to the head of Red river, and so on. Can the Baron inform me what population may be between those lines, of white, red, or black people? And whether any and what mines are within them? The information will be thankfully received. He tenders him his respectful salutations.

TO MRS. JOHN ADAMS.

WASHINGTON, June 13, 1804.

DEAR MADAM,—The affectionate sentiments which you have had the goodness to express in your letter of May the 20th, towards my dear departed daughter, have awakened in me sensibilities natural to the occasion, and recalled your kindnesses to her, which I shall ever remember with gratitude and friendship. I can assure you with truth, they had made an indelible impression on her mind, and that to the last, on our meetings after long separations, whether I had heard lately of you, and how you did, were among the earliest of her inquiries. In giving you this assurance I perform a sacred duty for her, and, at the same time, am thankful for the occasion furnished me, of expressing my regret that circumstances should have arisen, which have seemed to draw a line of separation between us. The friendship with which you honored me has ever been valued, and fully reciprocated; and although events have been passing which might be trying to some minds, I never believed yours to be of that kind, nor felt that my own was. Neither my estimate of your character, nor the esteem founded in that, has ever been lessened for a single moment, although doubts whether it would be acceptable may have forbidden manifestations of it.

Mr. Adams' friendship and mine began at an earlier date. It accompanied us through long and important scenes. The different conclusions we had

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drawn from our political reading and reflections, were not permitted to lessen personal esteem; each party being conscious they were the result of an honest conviction in the other. Like differences of opinion existing among our fellow citizens, attached them to one or the other of us, and produced a rivalship in their minds which did not exist in ours. We never stood in one another's way; for if either had been withdrawn at any time, his favorers would not have gone over to the other, but would have sought for some one of homogeneous opinions. This consideration was sufficient to keep down all jealousy between us, and to guard our friendship from any disturbance by sentiments of rivalship; and I can say with truth, that one act of Mr. Adams' life, and one only, ever gave me a moment's personal displeasure. I did consider his last appointments to office as personally unkind. They were from among my most ardent political enemies, from whom no faithful co-operation could ever be expected; and laid me under the embarrassment of acting through men whose views were to defeat mine, or to encounter the odium of putting others in their places. It seems but common justice to leave a successor free to act by instruments of his own choice. If my respect for him did not permit me to ascribe the whole blame to the influence of others, it left something for friendship to forgive, and after brooding over it for some little time, and not always resisting the expression of it, I forgave it cordially, and returned to the same state of esteem

and respect for him which had so long subsisted. Having come into life a little later than Mr. Adams, his career has preceded mine, as mine is followed by some other; and it will probably be closed at the same distance after him which time originally placed between us. I maintain for him, and shall carry into private life, an uniform and high measure of respect and good will, and for yourself a sincere attachment.

I have thus, my dear Madam, opened myself to you without reserve, which I have long wished an opportunity of doing; and without knowing how it will be received, I feel relief from being unbosomed. And I have now only to entreat your forgiveness for this transition from a subject of domestic affliction, to one which seems of a different aspect. But though connected with political events, it has been viewed by me most strongly in its unfortunate bearings on my private friendships. The injury these have sustained has been a heavy price for what has never given me equal pleasure. That you may both be favored with health, tranquillity and long life, is the prayer of one who tenders you the assurance of his highest consideration and esteem.

TO GOVERNOR JOHN PAGE.

WASHINGTON, June 25, 1804.

Your letter, my dear friend, of the 25th ultimo, is a new proof of the goodness of your heart, and the part you take in my loss marks an affectionate con-

cern for the greatness of it. It is great indeed. Others may lose of their abundance, but I, of my want, have lost even the half of all I had. My evening prospects now hang on the slender thread of a single life. Perhaps I may be destined to see even this last cord of parental affection broken! The hope with which I had looked forward to the moment, when, resigning public cares to younger hands, I was to retire to that domestic comfort from which the last great step is to be taken, is fearfully blighted. When you and I look back on the country over which we have passed, what a field of slaughter does it exhibit! Where are all the friends who entered it with us, under all the inspiring energies of health and hope? As if pursued by the havoc of war, they are strewed by the way, some earlier, some later, and scarce a few stragglers remain to count the numbers fallen, and to mark yet, by their own fall, the last footsteps of their party. Is it a desirable thing to bear up through the heat of the action, to witness the death of all our companions, and merely be the last victim? I doubt it. We have, however, the traveller's consolation. Every step shortens the distance we have to go; the end of our journey is in sight, the bed wherein we are to rest, and to rise in the midst of the friends we have lost. "We sorrow not then as others who have no hope;" but look forward to the day which "joins us to the great majority." But whatever is to be our destiny, wisdom, as well as duty, dictates that we should acqui-

esce in the will of Him whose it is to give and take away, and be contented in the enjoyment of those who are still permitted to be with us. Of those connected by blood, the number does not depend on us. But friends we have, if we have merited them. Those of our earliest years stand nearest in our affections. But in this too, you and I have been unlucky. Of our college friends (and they are the dearest) how few have stood with us in the great political questions which have agitated our country; and these were of a nature to justify agitation. I did not believe the Lilliputian fetters of that day strong enough to have bound so many. Will not Mrs. Page, yourself and family, think it prudent to seek a healthier region for the months of August and September? And may we not flatter ourselves that you will cast your eye on Monticello? We have not many summers to live. While fortune places us then within striking distance, let us avail ourselves of it, to meet and talk over the tales of other times.

Present me respectfully to Mrs. Page, and accept yourself my friendly salutations, and assurances of constant affection.

TO JUDGE JOHN TYLER.

WASHINGTON, June 28, 1804.

DEAR SIR,—Your favor of the 10th instant has been duly received. Amidst the direct falsehoods, the misrepresentations of truth, the calumnies and

the insults resorted to by a faction to mislead the public mind, and to overwhelm those entrusted with its interests, our support is to be found in the approving voice of our conscience and country, in the testimony of our fellow citizens, that their confidence is not shaken by these artifices. When to the plaudits of the honest multitude, the sober approbation of the sage in his closet is added, it becomes a gratification of an higher order. It is the sanction of wisdom superadded to the voice of affection. The terms, therefore, in which you are so good as to express your satisfaction with the course of the present administration cannot but give me great pleasure. I may err in my measures, but never shall deflect from the intention to fortify the public liberty by every possible means, and to put it out of the power of the few to riot on the labors of the many. No experiment can be more interesting than that we are now trying, and which we trust will end in establishing the fact, that man may be governed by reason and truth. Our first object should therefore be, to leave open to him all the avenues to truth. The most effectual hitherto found, is the freedom of the press. It is, therefore, the first shut up by those who fear the investigation of their actions. The firmness with which the people have withstood the late abuses of the press, the discernment they have manifested between truth and falsehood, show that they may safely be trusted to hear everything true and false, and to form a correct judgment between them. As

little is it necessary to impose on their senses, or dazzle their minds by pomp, splendor, or forms. Instead of this artificial, how much surer is that real respect, which results from the use of their reason, and the habit of bringing everything to the test of common sense.

I hold it, therefore, certain, that to open the doors of truth, and to fortify the habit of testing everything by reason, are the most effectual manacles we can rivet on the hands of our successors to prevent their manacling the people with their own consent. The panic into which they were artfully thrown in 1798, the frenzy which was excited in them by their enemies against their apparent readiness to abandon all the principles established for their own protection, seemed for awhile to countenance the opinions of those who say they cannot be trusted with their own government. But I never doubted their rallying; and they did rally much sooner than I expected. On the whole, that experiment on their credulity has confirmed my confidence in their ultimate good sense and virtue.

I lament to learn that a like misfortune has enabled you to estimate the afflictions of a father on the loss of a beloved child. However terrible the possibility of such another accident, it is still a blessing for you of inestimable value that you would not even then descend childless to the grave. Three sons, and hopeful ones too, are a rich treasure. I rejoice when I hear of young men of virtue and talents, worthy

to receive, and likely to preserve the splendid inheritance of self-government, which we have acquired and shaped for them.

The complement of midshipmen for the Tripoline squadron, is full; and I hope the frigates have left the Capes by this time. I have, however, this day, signed warrants of midshipmen for the two young gentlemen you recommended. These will be forwarded by the Secretary of the Navy. He tells me that their first services will be to be performed on board the gun boats.

Accept my friendly salutations, and assurances of great esteem and respect.

TO JAMES MADISON.

July 5, 1804.

We did not collect the sense of our brethren the other day by regular questions, but as far as I could understand from what was said, it appeared to be,— 1. That an acknowledgment of our right to the Perdido, is a *sine qua non*, and no price to be given for it. 2. No absolute and perpetual relinquishment of right is to be made of the country east of the Rio Bravo del Norte, even in exchange for Florida. [I am not quite sure that this was the opinion of all.] 3. That a country may be laid off within which no further settlement shall be made by either party for a given time, say thirty years. This country to be from the North river eastwardly towards the Colorado, or even

to, but not beyond the Mexican or Sabine river. To whatever river it be extended, it might from its source run northwest, as the most eligible direction; but a due north line would produce no restraint that we should feel in twenty years. This relinquishment, and two millions of dollars, to be the price of all the Floridas east of the Perdido, or to be apportioned to whatever part they will cede.

But on entering into conferences, both parties should agree that, during their continuance, neither should strengthen their situation between the Iberville, Mississippi, and Perdido, nor interrupt the navigation of the rivers therein. If they will not give such an order instantly, they should be told that we have for peace sake only, forborne till they could have time to give such an order, but that as soon as we receive notice of their refusal to give the order we shall intermit the exercise of our right of navigating the Mobile, and protect it, and increase our force there *pari passu* with them.

TO GOVERNOR W. C. C. CLAIBORNE.

WASHINGTON, July 7, 1804.

DEAR SIR,—In a letter of the 17th of April, which I wrote you from Monticello, I observed to you that as the legislative council for the territory of Orleans, was to be appointed by me, and our distance was great, and early communication on the subject was necessary, that it ought to be composed of men of

integrity, of understanding, of clear property and influence among the people, well acquainted with the laws, customs, and habits of the country, and drawn from the different parts of the territory, whose population was considerable. And I asked the favor of you to inform me of the proper characters, with short sketches of the material outlines for estimating them; and I observed that a majority should be of sound American characters long established and esteemed there, and the rest of French or Spaniards, the most estimable and well affected. When in daily expectation of an answer from you, I received your favor of May 29th, whereby I perceive that my letter to you has never got to hand. I must therefore, at this late day, repeat my request to you, and ask an early answer, because after receiving it, I may perhaps have occasion to consult you again before a final determination. A letter *written* any time in August will find me at Monticello, near Milton, and had better be so directed. A blank commission for a Surveyor and Inspector for the port of Bayou St. John, will be forwarded to you to be filled up with any name you approve. I would prefer a native Frenchman, if you can find one proper and disposed to co-operate with us in extirpating that corruption which has prevailed in those offices under the former government, and had so familiarized itself as that men, otherwise honest, could look on that without horror. I pray you to be alive to the suppression of this odious practice, and that you bring to punishment and brand

with eternal disgrace every man guilty of it, whatever be his station.

TO PHILIP MAZZEI.

WASHINGTON, July 18, 1804.

MY DEAR SIR,—It is very long, I know, since I wrote you. So constant is the pressure of business that there is never a moment, scarcely, that something of public importance is not waiting for me. I have, therefore, on a principle of conscience, thought it my duty to withdraw almost entirely from all private correspondence, and chiefly the trans-Atlantic; I scarcely write a letter a year to any friend beyond sea. Another consideration has led to this, which is the liability of my letters to miscarry, be opened, and made ill use of. Although the great body of our country are perfectly returned to their ancient principles, yet there remains a phalanx of old tories and monarchists, more envenomed, as all their hopes become more desperate. Every word of mine which they can get hold of, however innocent, however orthodox even, is twisted, tormented, perverted, and, like the words of holy writ, are made to mean everything but what they were intended to mean. I trust little, therefore, unnecessarily in their way, and especially on political subjects. I shall not, therefore, be free to answer all the several articles of your letters.

On the subject of treaties, our system is to have

none with any nation, as far as can be avoided. The treaty with England has therefore not been renewed, and all overtures for treaty with other nations have been declined. We believe, that with nations as with individuals, dealings may be carried on as advantageously, perhaps more so, while their continuance depends on a voluntary good treatment, as if fixed by a contract, which, when it becomes injurious to either, is made, by forced constructions, to mean what suits them, and becomes a cause of war instead of a bond of peace. We wish to be on the closest terms of friendship with Naples, and we will prove it by giving to her citizens, vessels and goods all the privileges of the most favored nation; and while we do this voluntarily, we cannot doubt they will voluntarily do the same for us. Our interests against the Barbaresques being also the same, we have little doubt she will give us every facility to insure them, which our situation may ask and hers admit. It is not, then, from a want of friendship that we do not propose a treaty with Naples, but because it is against our system tc embarrass ourselves with treaties, or to entangle ourselves at all with the affairs of Europe. The kind offices we receive from that government are more sensibly felt, as such, than they would be, if rendered only as due to us by treaty.

Five fine frigates left the Chesapeake the 1st instant for Tripoli, which, in addition to the force now there, will, I trust, recover the credit which Commodore Morris' two years' sleep lost us, and for which he has

been broke. I think they will make Tripoli sensible, that they mistake their interest in choosing war with us; and Tunis also, should she have declared war as we expect, and almost wish.

Notwithstanding this little diversion, we pay seven or eight millions of dollars annually of our public debt, and shall completely discharge it in twelve years more. That done, our annual revenue, now thirteen millions of dollars, which by that time will be twenty-five, will pay the expenses of any war we may be forced into, without new taxes or loans. The spirit of republicanism is now in almost all its ancient vigor, five-sixths of the people being with us. Fourteen of the seventeen States are completely with us, and two of the other three will be in one year. We have now got back to the ground on which you left us. I should have retired at the end of the first four years, but that the immense load of tory calumnies which have been manufactured respecting me, and have filled the European market, have obliged me to appeal once more to my country for a justification. I have no fear but that I shall receive honorable testimony by their verdict on those calumnies. At the end of the next four years I shall certainly retire. Age, inclination and principle all dictate this. My health, which at one time threatened an unfavorable turn, is now firm. The acquisition of Louisiana, besides doubling our extent, and trebling our quantity of fertile country, is of incalculable value, as relieving us from the danger of war. It has enabled

us to do a handsome thing for Fayette. He had received a grant of between eleven and twelve thousand acres north of Ohio, worth, perhaps, a dollar an acre. We have obtained permission of Congress to locate it in Louisiana. Locations can be found adjacent to the city of New Orleans, in the island of New Orleans and in its vicinity, the value of which cannot be calculated. I hope it will induce him to come over and settle there with his family. Mr. Livingston having asked leave to return, General Armstrong, his brother-in-law, goes in his place: he is of the first order of talents.

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Remarkable deaths lately, are, Samuel Adams, Edmund Pendleton, Alexander Hamilton, Stephens Thompson Mason, Mann Page, Bellini, and Parson Andrews. To these I have the inexpressible grief of adding the name of my youngest daughter, who had married a son of Mr. Eppes, and has left two children. My eldest daughter alone remains to me, and has six children. This loss has increased my anxiety to retire, while it has dreadfully lessened the comfort of doing it. Wythe, Dickinson, and Charles Thompson are all living, and are firm republicans. You informed me formerly of your marriage, and your having a daughter, but have said nothing in your late letters on that subject. Yet whatever concerns your happiness is sincerely interesting to me, and is a subject of anxiety, retaining as I do,

cordial sentiments of esteem and affection for you. Accept, I pray you, my sincere assurances of this, with my most friendly salutations.

TO MRS. JOHN ADAMS.

WASHINGTON, July 22, 1804.

DEAR MADAM,—Your favor of the 1st instant was duly received, and I would not have again intruded on you, but to rectify certain facts which seem not to have been presented to you under their true aspect. My charities to Callendar are considered as rewards for his calumnies. As early, I think, as 1796, I was told in Philadelphia that Callendar, the author of the Political Progress of Britain, was in that city, a fugitive from persecution for having written that book, and in distress. I had read and approved the book; I considered him as a man of genius, unjustly persecuted. I knew nothing of his private character, and immediately expressed my readiness to contribute to his relief, and to serve him. It was a considerable time after, that, on application from a person who thought of him as I did, I contributed to his relief, and afterwards repeated the contribution. Himself I did not see till long after, nor ever more than two or three times. When he first began to write, he told some useful truths in his coarse way; but nobody sooner disapproved of his writing than I did, or wished more that he would be silent. My charities to him were no more meant as encouragements to his

scurrilities, than those I give to the beggar at my door are meant as rewards for the vices of his life, and to make them chargeable to myself. In truth, they would have been greater to him, had he never written a word after the work for which he fled from Britain. With respect to the calumnies and falsehoods which writers and printers at large published against Mr. Adams, I was as far from stooping to any concern or approbation of them, as Mr. Adams was respecting those of Porcupine, Fenno, or Russel, who published volumes against me for every sentence vended by their opponents against Mr. Adams. But I never supposed Mr. Adams had any participation in the atrocities of these editors, or their writers. I knew myself incapable of that base warfare, and believed him to be so. On the contrary, whatever I may have thought of the acts of the administration of that day, I have ever borne testimony to Mr. Adams' personal worth; nor was it ever impeached in my presence, without a just vindication of it on my part. I never supposed that any person who knew either of us, could believe that either of us meddled in that dirty work. But another fact is, that I "liberated a wretch who was suffering for a libel against Mr. Adams." I do not know who was the particular wretch alluded to; but I discharged every person under punishment or prosecution under the sedition law, because I considered, and now consider, that law to be a nullity, as absolute and as palpable as if Congress had ordered us to fall down and worship a

golden image; and that it was as much my duty to arrest its execution in every stage, as it would have been to have rescued from the fiery furnace those who should have been cast into it for refusing to worship the image. It was accordingly done in every instance, without asking what the offenders had done, or against whom they had offended, but whether the pains they were suffering were inflicted under the pretended sedition law. It was certainly possible that my motives for contributing to the relief of Callendar, and liberating sufferers under the sedition law, might have been to protect, encourage, and reward slander; but they may also have been those which inspire ordinary charities to objects of distress, meritorious or not, or the obligation of an oath to protect the Constitution, violated by an unauthorized act of Congress. Which of these were my motives, must be decided by a regard to the general tenor of my life. On this I am not afraid to appeal to the nation at large, to posterity, and still less to that Being who sees himself our motives, who will judge us from his own knowledge of them, and not on the testimony of Porcupine or Fenno.

You observe, there has been one other act of my administration personally unkind, and suppose it will readily suggest itself to me. I declare on my honor, Madam, I have not the least conception what act was alluded to. I never did a single one with an unkind intention. My sole object in this letter being to place before your attention, that the acts imputed

to me are either such as are falsely imputed, or as might flow from good as well as bad motives, I shall make no other addition, than the assurances of my continued wishes for the health and happiness of yourself and Mr. Adams.

TO JAMES MADISON.

MONTICELLO, August 15, 1804.

DEAR SIR,—Your letter dated the 7th should probably have been of the 14th, as I received it only by that day's post. I return you Monroe's letter, which is of an awful complexion; and I do not wonder the communications it contains made some impression on him. To a person placed in Europe, surrounded by the immense resources of the nations there, and the greater wickedness of their courts, even the limits which nature imposes on their enterprises are scarcely sensible. It is impossible that France and England should combine for any purpose; their mutual distrust and deadly hatred of each other admit no co-operation. It is impossible that England should be willing to see France re-possess Louisiana, or get footing on our continent, and that France should willingly see the United States re-annexed to the British dominions. That the Bourbons should be replaced on their throne and agree to any terms of restitution, is possible; but that they and England joined, could recover us to British dominion, is impossible. If these things are not so, then human

reason is of no aid in conjecturing the conduct of nations. Still, however, it is our unquestionable interest and duty to conduct ourselves with such sincere friendship and impartiality towards both nations, as that each may see unequivocally, what is unquestionably true, that we may be very possibly driven into her scale by unjust conduct in the other. I am so much impressed with the expediency of putting a termination to the right of France to patronize the rights of Louisiana, which will cease with their complete adoption as citizens of the United States, that I hope to see that take place on the meeting of Congress. I enclosed you a paragraph from a newspaper respecting St. Domingo, which gives me uneasiness. Still I conceive the British insults in our harbor as more threatening. We cannot be respected by France as a neutral nation, nor by the world ourselves as an independent one, if we do not take effectual measures to support, at every risk, our authority in our own harbors. I shall write to Mr. Wagner directly (that a post may not be lost by passing through you) to send us blank commissions for Orleans and Louisiana, ready sealed, to be filled up, signed and forwarded by us. Affectionate salutations and constant esteem.

TO GOVERNOR W. C. C. CLAIBORNE.

MONTICELLO, August 13, 1804.

DEAR SIR,—Various circumstances of delay have prevented my forwarding till now, the general arrangements of the government of the territory of Orleans. Enclosed herewith you will receive the commissions. Among these is one for yourself as Governor. With respect to this I will enter into frank explanations. This office was originally destined for a person[1] whose great services and established fame would have rendered him peculiarly acceptable to the nation at large. Circumstances, however, exist, which do not now permit his nomination, and perhaps may not at any time hereafter. That, therefore, being suspended and entirely contingent, your services have been so much approved as to leave no desire to look elsewhere to fill the office. Should the doubts you have sometimes expressed, whether it would be eligible for you to continue, still exist in your mind, the acceptance of the commission gives you time to satisfy yourself by further experience, and to make the time and manner of withdrawing, should you ultimately determine on that, agreeable to yourself. Be assured that whether you continue or retire, it will be with every disposition on my part to be just and friendly to you.

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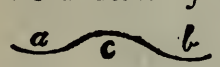
I salute you with friendship and respect.

[1] In the margin is written by the author, "La Fayette."

TO THE SECRETARY OF THE TREASURY (ALBERT GALLATIN).

MONTICELLO, September 8, 1804.

DEAR SIR,—As we shall have to lay before Congress the proceedings of the British vessels at New York, it will be necessary for us to say to them with certainty which specific aggressions were committed within the common law, which within the admiralty jurisdiction, and which on the high seas. The rule of the common law is that wherever you can see from land to land, all the water within the line of sight is in the body of the adjacent county and within common law jurisdiction. Thus, if in this curvature 

you can see from *a* to *b*, all the water within the line of sight is within common law jurisdiction, and a murder committed at *c* is to be tried as at common law. Our coast is generally visible, I believe, by the time you get within about twenty-five miles. I suppose that at New York you must be some miles out of the Hook before the opposite shores recede twenty-five miles from each other. The three miles of maritime jurisdiction is always to be counted from this line of sight. It will be necessary we should be furnished with the most accurate chart to be had of the shores and waters in the neighborhood of the Hook; and that we may be able to ascertain on it the spot of every aggression. I presume it would be within the province of Mr. Gelston to procure such a chart, and to ascertain the positions of the offending

vessels. If I am right in this, will you be so good as to instruct him so to do?

I think the officers of the federal government are meddling too much with the public elections. Will it be best to admonish them privately or by proclamation? This for consideration till we meet. I shall be at Washington by the last day of the month. I salute you with affection and respect.

TO MRS. JOHN ADAMS.

MONTICELLO, September 11, 1804.

Your letter, Madam, of the 18th of August has been some days received, but a press of business has prevented the acknowledgment of it: perhaps, indeed, I may have already trespassed too far on your attention. With those who wish to think amiss of me, I have learned to be perfectly indifferent; but where I know a mind to be ingenuous, and to need only truth to set it to rights, I cannot be as passive. The act of personal unkindness alluded to in your former letter, is said in your last to have been the removal of your eldest son from some office to which the judges had appointed him. I conclude then he must have been a commissioner of bankruptcy. But I declare to you, on my honor, that this is the first knowledge I have ever had that he was so. It may be thought, perhaps, that I ought to have inquired who were such, before I appointed others. But it is to be observed, that the former law permitted the judges to name

commissioners occasionally, only for every case as it arose, and not to make them permanent officers. Nobody, therefore, being in office, there could be no removal. The judges, you well know, have been considered as highly federal; and it was noted that they confined their nominations exclusively to federalists. The Legislature, dissatisfied with this, transferred the nomination to the President, and made the offices permanent. The very object in passing the law was, that he should correct, not confirm, what was deemed the partiality of the judges. I thought it therefore proper to inquire, not whom they had employed, but whom I ought to appoint to fulfil the intentions of the law. In making these appointments, I put in a proportion of federalists, equal, I believe, to the proportion they bear in numbers through the Union generally. Had I known that your son had acted, it would have been a real pleasure to me to have preferred him to some who were named in Boston, in what was deemed the same line of politics. To this I should have been led by my knowledge of his integrity, as well as my sincere dispositions towards yourself and Mr. Adams.

You seem to think it devolved on the judges to decide on the validity of the sedition law. But nothing in the Constitution has given them a right to decide for the Executive, more than to the Executive to decide for them. Both magistrates are equally independent in the sphere of action assigned to them. The judges, believing the law constitutional, had a

right to pass a sentence of fine and imprisonment; because the power was placed in their hands by the Constitution. But the executive, believing the law to be unconstitutional, were bound to remit the execution of it; because that power has been confided to them by the Constitution. That instrument meant that its co-ordinate branches should be checks on each other. But the opinion which gives to the judges the right to decide what laws are constitutional, and what not, not only for themselves in their own sphere of action, but for the legislature and executive also, in their spheres, would make the judiciary a despotic branch. Nor does the opinion of the unconstitutionality, and consequent nullity of that law, remove all restraint from the overwhelming torrent of slander, which is confounding all vice and virtue, all truth and falsehood, in the United States. The power to do that is fully possessed by the several State Legislatures. It was reserved to them, and was denied to the General Government, by the Constitution, according to our construction of it. While we deny that Congress have a right to control the freedom of the press, we have ever asserted the right of the States, and their exclusive right, to do so. They have accordingly, all of them, made provisions for punishing slander, which those who have time and inclination, resort to for the vindication of their characters. In general, the State laws appear to have made the presses responsible for slander as far as is consistent with its useful freedom.

In those States where they do not admit even the truth of allegations to protect the printer, they have gone too far.

The candor manifested in your letter, and which I ever believed you to possess, has alone inspired the desire of calling your attention, once more, to those circumstances of fact and motive by which I claim to be judged. I hope you will see these intrusions on your time to be, what they really are, proofs of my great respect for you. I tolerate with the utmost latitude the right of others to differ from me in opinion without imputing to them criminality. I know too well the weakness and uncertainty of human reason to wonder at its different results. Both of our political parties, at least the honest part of them, agree conscientiously in the same object—the public good; but they differ essentially in what they deem the means of promoting that good. One side believes it best done by one composition of the governing powers; the other, by a different one. One fears most the ignorance of the people; the other, the selfishness of rulers independent of them. Which is right, time and experience will prove. We think that one side of this experiment has been long enough tried, and proved not to promote the good of the many; and that the other has not been fairly and sufficiently tried. Our opponents think the reverse. With whichever opinion the body of the nation concurs, that must prevail. My anxieties on this subject will never carry me beyond the use of fair and honor-

able means, of truth and reason; nor have they ever lessened my esteem for moral worth, nor alienated my affections from a single friend, who did not first withdraw himself. Whenever this has happened, I confess I have not been insensible to it; yet have ever kept myself open to a return of their justice. I conclude with sincere prayers for your health and happiness, that yourself and Mr. Adams may long enjoy the tranquillity you desire and merit, and see in the prosperity of your family what is the consummation of the last and warmest of human wishes.

TO JOHN F. MERCER, ESQ.

WASHINGTON, October 9, 1804.

DEAR SIR,—Your favor of September 28th, in behalf of Mr. Harwood, was duly received; the grounds on which one of the competitors stood, set aside of necessity all hesitation. Mr. Hall's having been a member of the Legislature, a Speaker of the Representatives, and a member of the Executive Council, were evidences of the respect of the State towards him, which our respect for the State could not neglect. You say you are forcibly led to say something on another subject very near your heart, which you defer to another opportunity. I presume it to be on your political situation, and perhaps the degree in which it may bear on our friendship. In the first case I declare to you that I have never suffered political opinion to enter into the estimate of

my private friendships; nor did I ever abdicate the society of a friend on that account till he had first withdrawn from mine. Many have left me on that account, but with many I still preserve affectionate intercourse, only avoiding to speak on politics, as with a Quaker or Catholic I would avoid speaking on religion. But I do not apply this to you; for however confidently it has been affirmed, I have not supposed that you have changed principles. What in fact is the difference of principle between the two parties here? The one desires to preserve an entire independence of the executive and legislative branches on each other, and the dependence of both on the same source—the free election of the people. The other party wishes to lessen the dependence of the Executive and of one branch of the Legislature on the people, some by making them hold for life, some hereditary, and some even for giving the Executive an influence by patronage or corruption over the remaining popular branch, so as to reduce the elective franchise to its minimum. I shall not believe you gone over to the latter opinions till better evidence than I have had. Yet were it the case, I repeat my declaration that exclusive of political coincidence of opinion, I have found a sufficiency of other qualities in you to value and cherish your friendship.

TO MR. LITHSON.

WASHINGTON, January 4, 1805.

DEAR SIR,—Your favor of December 4th has been duly received. Mr. Duane informed me that he meant to publish a new edition of the Notes on Virginia, and I had in contemplation some particular alterations which would require little time to make. My occupations by no means permit me at this time to revise the text, and make those changes in it which I should now do. I should in that case certainly qualify several expressions in the nineteenth chapter, which have been construed differently from what they were intended. I had under my eye, when writing, the manufacturers of the great cities in the old countries, at the time present, with whom the want of food and clothing necessary to sustain life, has begotten a depravity of morals, a dependence and corruption, which renders them an undesirable accession to a country whose morals are sound. My expressions looked forward to the time when our own great cities would get into the same state. But they have been quoted as if meant for the present time here. As yet our manufacturers are as much at their ease, as independent and moral as our agricultural inhabitants, and they will continue so as long as there are vacant lands for them to resort to; because whenever it shall be attempted by the other classes to reduce them to the minimum of subsistence, they will quit their trades and go to laboring the earth. A

first question is, whether it is desirable for us to receive at present the dissolute and demoralized handicraftsmen of the old cities of Europe? A second and more difficult one is, when even good handicraftsmen arrive here, is it better for them to set up their trade, or go to the culture of the earth? Whether their labor in their trade is worth more than their labor on the soil, increased by the creative energies of the earth? Had I time to revise that chapter, this question should be discussed, and other views of the subject taken, which are presented by the wonderful changes which have taken place here since 1781, when the Notes on Virginia were written. Perhaps when I retire, I may amuse myself with a serious review of this work; at present it is out of the question. Accept my salutations and good wishes.

TO JOHN TAYLOR, ESQ.

WASHINGTON, January 6, 1805.

DEAR SIR,—Your favor of December 26th has been duly received, as a proof of your friendly partialities to me, of which I have so often had reason to be sensible. My opinion originally was that the President of the United States should have been elected for seven years, and forever ineligible afterwards. I have since become sensible that seven years is too long to be irremovable, and that there should be a peaceable way of withdrawing a man in midway who is doing wrong. The service for eight years, with a

power to remove at the end of the first four, comes nearly to my principle as corrected by experience; and it is in adherence to that, that I determine to withdraw at the end of my second term. The danger is that the indulgence and attachments of the people will keep a man in the chair after he becomes a dotard, that re-election through life shall become habitual, and election for life follow that. General Washington set the example of voluntary retirement after eight years. I shall follow it. And a few more precedents will oppose the obstacle of habit to any one after awhile who shall endeavor to extend his term. Perhaps it may beget a disposition to establish it by an amendment of the Constitution. I believe I am doing right therefore in pursuing my principle. I had determined to declare my intention, but I have consented to be silent on the opinion of friends, who think it best not to put a continuance out of my power in defiance of all circumstances. There is, however, but one circumstance which could engage my acquiescence in another election; to wit, such a division about a successor, as might bring in a monarchist. But that circumstance is impossible. While, therefore, I shall make no formal declaration to the public of my purpose, I have freely let it be understood in private conversation. In this I am persuaded yourself and my friends generally will approve of my views. And should I, at the end of a second term, carry into retirement all the favor which the first has acquired, I shall feel the consola-

tion of having done all the good in my power, and expect with more than composure the termination of a life no longer valuable to others or of importance to myself. Accept my affectionate salutations, and assurances of great esteem and respect.

TO ALBERT GALLATIN.

January 26, 1805.

The question arising on Mr. Simons' letter of January 10th is whether sea-letters shall be given to the vessels of citizens neither born nor residing in the United States. Sea-letters are the creatures of treaties. No act of the ordinary legislature requires them. The only treaties now existing with us, and calling for them, are those with Holland, Spain, Prussia, and France. In the two former we have stipulated that when the other party shall be at war, the vessels belonging to our people shall be furnished with sea-letters; in the two latter that the *vessels of the neutral* party shall be so furnished. France being now at war, the sea-letter is made necessary for our vessels; and consequently it is our duty to furnish them. The laws of the United States confine registers to *home-built* vessels belonging to citizens; but they do not make it unlawful for citizens to own foreign-built vessels; and the treaties give the right of sea-letters to all vessels belonging to citizens.

But who are citizens? The laws of registry consider a citizenship obtained by a foreigner who comes

merely for that purpose, and returns to reside in his own country, as fraudulent, and deny a register to such an one, even owning home-built vessels. I consider the distinction as sound and safe, and that we ought not to give sea-letters to a vessel belonging to such a pseudo-citizen. It compromises our peace, by lending our flag to cover the goods of one of the belligerents to the injury of the other. It produces vexatious searches on the vessels of our real citizens, and gives to others the participation of our neutral advantages, which belong to the real citizen only. And inasmuch as an uniformity of rule between the different branches of the government is convenient and proper, I would propose as a rule that sea-letters be given to all vessels *belonging* to citizens under whose ownership of a registered vessel such vessel would be entitled to the benefits of her register. Affectionate salutations.

TO JOSEPH H. NICHOLSON.

WASHINGTON, January 29, 1805.

DEAR SIR,—Mr. Eppes has this moment put into my hands your letter of yesterday, asking information on the subject of the gunboats proposed to be built. I lose no time in communicating to you fully my whole views respecting them, premising a few words on the system of fortifications. Considering the harbors which, from their situation and importance, are entitled to defence, and the estimates we

have seen of the fortifications planned for some of them, this system cannot be completed on a moderate scale for less than fifty millions of dollars, nor manned in time of war, with less than fifty thousand men, and in peace, two thousand. And when done they avail little; because all military men agree, that wherever a vessel may pass a fort without tacking under her guns, which is the case at all our seaport towns, she may be annoyed more or less, according to the advantages of the position, but can never be prevented. Our own experience during the war proved this on different occasions. Our predecessors have, nevertheless, proposed to go into this system, and had commenced it. But no law requiring us to proceed, we have suspended it.

If we cannot hinder vessels from entering our harbors, we should turn our attention to the putting it out of their power to lie, or come to, before a town, to injure it. Two means of doing this may be adopted in aid of each other. 1. Heavy cannon on travelling carriages, which may be moved to any point on the bank or beach most convenient for dislodging the vessel. A sufficient number of these should be lent to each seaport town, and their militia trained to them. The executive is authorized to do this; it has been done in a small degree, and will now be done more competently.

2. Having cannon on floating batteries or boats, which may be so stationed as to prevent a vessel entering the harbor, or force her, after entering, to

depart. There are about fifteen harbors in the United States which ought to be in a state of substantial defence. The whole of these would require, according to the best opinions, two hundred and forty gunboats. Their cost was estimated by Captain Rogers at two thousand dollars each; but we had better say four thousand dollars. The whole would cost one million of dollars. But we should allow ourselves ten years to complete it, unless circumstances should force it sooner. There are three situations in which the gunboat may be. 1. Hauled up under a shed, in readiness to be launched and manned by the seamen and militia of the town on short notice. In this situation she costs nothing but an enclosure, or a sentinel to see that no mischief is done to her. 2. Afloat, and with men enough to navigate her in harbor and take care of her, but depending on receiving her crew from the town on short warning. In this situation, her annual expense is about two thousand dollars, as by an official estimate at the end of this letter. 3. Fully manned for action. Her annual expense in this situation is about eight thousand dollars, as per estimate subjoined. When there is general peace, we should probably keep about six or seven afloat in the second situation; their annual expense twelve to fourteen thousand dollars; the rest all hauled up. When France and England are at war, we should keep, at the utmost, twenty-five in the second situation; their annual expense, fifty thousand dollars. When

we should be at war ourselves, some of them would probably be kept in the third situation, at an annual expense of eight thousand dollars; but how many, must depend on the circumstances of the war. We now possess ten, built and building. It is the opinion of those consulted, that fifteen more would enable us to put every harbor under our view into a respectable condition; and that this should limit the views of the present year. This would require an appropriation of sixty thousand dollars; and I suppose *that* the best way of limiting it, without declaring the number, as perhaps that sum would build more. I should think it best not to give a detailed report, which exposes our policy too much. A bill, with verbal explanations, will suffice for the information of the House. I do not know whether General Wilkinson would approve the printing his paper. If he would, it would be useful.

Accept affectionate and respectful salutations.

TO C. F. C. DE VOLNEY.

WASHINGTON, February 8, 1805.

DEAR SIR,—Your letter of November the 26th came to hand May the 14th; the books some time after, which were all distributed according to direction. The copy for the East Indies went immediately by a safe conveyance. The letter of April the 28th, and the copy of your work accompanying that, did not come to hand till August. That copy was

deposited in the Congressional library. It was not till my return here from my autumnal visit to Monticello, that I had an opportunity of reading your work. I have read it, and with great satisfaction. Of the first part I am less a judge than most people, having never travelled westward of Staunton, so as to know anything of the face of the country; nor much indulged myself in geological inquiries, from a belief that the skin-deep scratches which we can make or find on the surface of the earth, do not repay our time with as certain and useful deductions as our pursuits in some other branches. The subject of our winds is more familiar to me. On that, the views you have taken are always great, supported in their outlines by your facts; and though more extensive observations, and longer continued, may produce some anomalies, yet they will probably take their place in this first great canvas which you have sketched. In no case, perhaps, does habit attach our choice or judgment more than in climate. The Canadian glows with delight in his sleigh and snow; the very idea of which gives me the shivers. The comparison of climate between Europe and North America, taking together its corresponding parts, hangs chiefly on three great points. 1. The changes between heat and cold in America are greater and more frequent, and the extremes comprehend a greater scale on the thermometer in America than in Europe. Habit, however, prevents these from affecting us more than the smaller changes of Europe

affect the European. But he is greatly affected by ours. 2. Our sky is always clear; that of Europe always cloudy. Hence a greater accumulation of heat here than there, in the same parallel. 3. The changes between wet and dry are much more frequent and sudden in Europe than in America. Though we have double the rain, it falls in half the time. Taking all these together, I prefer much the climate of the United States to that of Europe. I think it a more cheerful one. It is our cloudless sky which has eradicated from our constitutions all disposition to hang ourselves, which we might otherwise have inherited from our English ancestors. During a residence of between six and seven years in Paris, I never, but once, saw the sun shine through a whole day, without being obscured by a cloud in any part of it; and I never saw the moment, in which, viewing the sky through its whole hemisphere, I could say there was not the smallest speck of a cloud in it. I arrived at Monticello, on my return from France, in January; and during only two months' stay there, I observed to my daughters, who had been with me to France, that, twenty odd times within that term, there was not a speck of a cloud in the whole hemisphere. Still I do not wonder that an European should prefer his gray to our azure sky. Habit decides our taste in this, as in most other cases.

The account you give of the yellow fever, is entirely agreeable to what we then knew of it. Further experience has developed more and more its peculiar

character. Facts appear to have established that it is originated here by a local atmosphere, which is never generated but in the lower, closer, and dirtier parts of our large cities, in the neighborhood of the water; and that, to catch the disease, you must enter the local atmosphere. Persons having taken the disease in the infected quarter, and going into the country, are nursed and buried by their friends, without an example of communicating it. A vessel going from the infected quarter, and carrying its atmosphere in its hold into another State, has given the disease to every person who there entered her. These have died in the arms of their families, without a single communication of the disease. It is certainly, therefore, an epidemic, not a contagious disease; and calls on the chemists for some mode of purifying the vessel by a decomposition of its atmosphere, if ventilation be found insufficient. In the long scale of bilious fevers, graduated by many shades, this is probably the last and most mortal term. It seizes the native of the place equally with strangers. It has not been long known in any part of the United States. The shade next above it, called the stranger's fever, has been coeval with the settlement of the larger cities in the Southern parts, to wit, Norfolk, Charleston, New Orleans. Strangers going to these places in the months of July, August, or September, find this fever as mortal as the genuine yellow fever. But it rarely attacks those who have resided in them some time. Since we have known that kind of yel-

low fever which is no respecter of persons, its name has been extended to the stranger's fever, and every species of bilious fever which produces a black vomit, that is to say, a discharge of very dark bile. Hence we hear of yellow fever on the Alleghany mountains, in Kentucky, etc. This is a matter of definition only; but it leads into error those who do not know how loosely and how interestedly some physicians think and speak. So far as we have yet seen, I think we are correct in saying, that the yellow fever, which seizes on all indiscriminately, is an ultimate degree of bilious fever never known in the United States till lately, nor farther South, as yet, than Alexandria; and that what they have recently called the yellow fever in New Orleans, Charleston and Norfolk, is what has always been known in those places as confined chiefly to strangers, and nearly as mortal *to them*, as the other is to *all* its subjects. But both grades are local; the stranger's fever less so, as it sometimes extends a little into the neighborhood; but the yellow fever rigorously so, confined within narrow and well-defined limits, and not communicable out of those limits. Such a constitution of atmosphere being requisite to originate this disease as is generated only in low, close, and ill-cleansed parts of a town, I have supposed it practicable to prevent its generation by building our cities on a more open plan. Take, for instance, the chequer board for a plan. Let the black squares only be building squares, and the white ones be left open, in turf and

trees. Every square of houses will be surrounded by four open squares, and every house will front an open square. The atmosphere of such a town would be like that of the country, insusceptible of the miasmata which produce yellow fever. I have accordingly proposed that the enlargements of the city of New Orleans, which must immediately take place, shall be on this plan. But it is only in case of enlargements to be made, or of cities to be built, that this means of prevention can be employed.

The *genus irritabile vatum* could not let the author of the Ruins publish a new work, without seeking in it the means of discrediting that puzzling composition. Some one of those holy calumniators has selected from your new work every scrap of a sentence, which, detached from its context, could displease an American reader. A cento has been made of these, which has run through a particular description of newspapers, and excited a disapprobation even in friendly minds, which nothing but the reading of the book will cure. But time and truth will at length correct error.

Our countrymen are so much occupied in the busy scenes of life, that they have little time to write or invent. A good invention here, therefore, is such a rarity as it is lawful to offer to the acceptance of a friend. A Mr. Hawkins of Frankford, near Philadelphia, has invented a machine which he calls a polygraph, and which carries two, three, or four pens. That of two pens, with which I am now writing, is

best; and is so perfect that I have laid aside the copying-press, for a twelvemonth past, and write always with the polygraph. I have directed one to be made, of which I ask your acceptance. By what conveyance I shall send it while Havre is blockaded, I do not yet know. I think you will be pleased with it, and will use it habitually as I do; because it requires only that degree of mechanical attention which I know you to possess. I am glad to hear that M. Cabanis is engaged in writing on the refomation of medicine. It needs the hand of a reformer, and cannot be in better hands than his. Will you permit my respects to him and the Abbé de la Roche to find a place here?

A word now on our political state. The two parties which prevailed with so much violence when you were here, are almost wholly melted into one. At the late Presidential election I have received one hundred and sixty-two votes against fourteen only. Connecticut is still federal by a small majority; and Delaware on a poise, as she has been since 1775, and will be till Anglomany with her yields to Americanism. Connecticut will be with us in a short time. Though the people in mass have joined us, their leaders had committed themselves too far to retract. Pride keeps them hostile; they brood over their angry passions, and give them vent in the newspapers which they maintain. They still make as much noise as if they were the whole nation. Unfortunately, these being the mercantile papers, published chiefly

in the seaports, are the only ones which find their way to Europe, and make very false impressions there. I am happy to hear that the late derangement of your health is going off, and that you are re-established. I sincerely pray for the continuance of that blessing, and with my affectionate salutations, tender you assurances of great respect and attachment.

P. S. The sheets which you receive are those of the copying-pen of the polygraph, not of the one with which I have written.

TO JUDGE JOHN TYLER.

MONTICELLO, March 29, 1805.

DEAR SIR,—Your favor of the 17th found me on a short visit to this place, and I observe in it with great pleasure a continuance of your approbation of the course we are pursuing, and particularly the satisfaction you express with the last inaugural address. The first was, from the nature of the case, all profession and promise. Performance, therefore, seemed to be the proper office of the second. But the occasion restricted me to mention only the most prominent heads, and the strongest justification of these in the fewest words possible. The crusade preached against philosophy by the modern disciples of steady habits, induced me to dwell more in showing its effect with the Indians than the subject otherwise justified.

The war with Tripoli stands on two grounds of fact. 1st. It is made known to us by our agents with the three other Barbary States, that they only wait to see the event of this, to shape their conduct accordingly. If the war is ended by additional tribute, they mean to offer us the same alternative. 2dly. If peace was made, we should still, and shall ever, be obliged to keep a frigate in the Mediterranean to overawe rupture, or we must abandon that market. Our intention in sending Morris with a respectable force, was to try whether peace could be forced by a coercive enterprise on their town. His inexecution of orders baffled that effort. Having broke him, we try the same experiment under a better commander. If in the course of the summer they cannot produce peace, we shall recall our force, except one frigate and two small vessels, which will keep up a perpetual blockade. Such a blockade will cost us no more than a state of peace, and will save us from increased tributes, and the disgrace attached to them. There is reason to believe the example we have set, begins already to work on the dispositions of the powers of Europe to emancipate themselves from that degrading yoke. Should we produce such a revolution there, we shall be amply rewarded for what we have done. Accept my friendly salutations, and assurances of great respect and esteem.

TO DOCTOR GEORGE LOGAN.

WASHINGTON, May 11, 1805.

DEAR SIR,— * * * * * * *

I see with infinite pain the bloody schism which has taken place among our friends in Pennsylvania and New York, and will probably take place in other States. The main body of both sections mean well, but their good intentions will produce great public evil. The minority, whichever section shall be the minority, will end in coalition with the federalists, and some compromise of principle; because these will not sell their aid for nothing. Republicanism will thus lose, and royalism gain, some portion of that ground which we thought we had rescued to good government. I do not express my sense of our misfortunes from any idea that they are remediable. I know that the passions of men will take their course, that they are not to be controlled but by despotism, and that this melancholy truth is the pretext for despotism. The duty of an upright administration is to pursue its course steadily, to know nothing of these family dissensions, and to cherish the good principles of both parties. The war *ad internecionem* which we have waged against federalism, has filled our latter times with strife and unhappiness. We have met it, with pain indeed, but with firmness, because we believed it the last convulsive effort of that Hydra, which in earlier times we had conquered in the field. But if any degeneracy of principle

should ever render it necessary to give ascendancy to one of the rising sections over the other, I thank my God it will fall to some other to perform that operation. The only cordial I wish to carry into my retirement, is the undivided good will of all those with whom I have acted.

Present me affectionately to Mrs. Logan, and accept my salutations, and assurances of constant friendship and respect.

TO JUDGE JAMES SULLIVAN.

WASHINGTON, May 21, 1805.

DEAR SIR,—An accumulation of business, which I found on my return here from a short visit to Monticello, has prevented till now my acknowledgment of your favor of the 14th ultimo. This delay has given time to see the result of the contest in your State, and I cannot but congratulate you on the advance it manifests, and the certain prospect it offers that another year restores Massachusetts to the general body of the nation. You have indeed received the federal unction of lying and slandering. But who has not? Who will ever again come into eminent office, unanointed with this chrism? It seems to be fixed that falsehood and calumny are to be their ordinary engines of opposition; engines which will not be entirely without effect. The circle of characters equal to the first stations is not too large, and will be lessened by the voluntary retreat

of those whose sensibilities are stronger than their confidence in the justice of public opinion. I certainly have known, and still know, characters eminently qualified for the most exalted trusts, who could not bear up against the brutal hackings and hewings of these heroes of Billingsgate. I may say, from intimate knowledge, that we should have lost the services of the greatest character of our country, had he been assailed with the degree of abandoned licentiousness now practised. The torture he felt under rare and slight attacks, proved that under those of which the federal bands have shown themselves capable, he would have thrown up the helm in a burst of indignation. Yet this effect of sensibility must not be yielded to. If we suffer ourselves to be frightened from our post by mere lying, surely the enemy will use that weapon; for what one so cheap to those of whose system of politics morality makes no part? The patriot, like the Christian, must learn that to bear revilings and persecutions is a part of his duty; and in proportion as the trial is severe, firmness under it becomes more requisite and praiseworthy. It requires, indeed, self-command. But that will be fortified in proportion as the calls for its exercise are repeated. In this I am persuaded we shall have the benefit of your good example. To the other falsehoods they have brought forward, should they add, as you expect, insinuations of want of confidence in you from the administration generally, or myself particularly, it will, like their other

falsehoods, produce in the public mind a contrary inference.

* * * * * * * * *

I tender you my friendly and respectful salutations.

TO WILLIAM DUNBAR.

WASHINGTON, May 25, 1805.

DEAR SIR,—Your several letters, with the portions of your journals, forwarded at different times, have been duly received; and I am now putting the journal into the hands of a person properly qualified to extract the results of your observations, and the various interesting information contained among them, and bring them into such a compass as may be communicated to the Legislature. Not knowing whether you might not intend to make a map yourself, of the course of the river, he will defer that to the last part of his work, on the possibility that we may receive it from yourself. Your observations on the difficulty of transporting baggage from the head of the Red river to that of the Arkansas, with the dangers from the seceding Osages residing on the last river, have determined me to confine the ensuing mission to the ascent of the Red river to its source, and to descend the same river again, which will give an opportunity of better ascertaining that which, in truth, next to the Missouri, is the most interesting water of the Mississippi. You will accordingly receive instructions to this effect, from the Secre-

tary of War. Dr. Hunter does not propose to take a part in this mission, and we suppose that Mr. George Davis, a deputy of Mr. Briggs, will be the fittest person to take the direction of the expedition, and Colonel Freeman as an assistant, and successor, in case of accident, to the principal. Still, these propositions are submitted to your control, as being better acquainted with both characters. I write to Governor Claiborne, to endeavor to get a passport from the Marquis of Casa-Calvo, for our party, as a protection from any Spaniards who may be fallen in with on the route. We offer to receive one or two persons, to be named by him, and subsisted by us into the party, as a proof that the expedition is merely scientific, and without any views to which Spain could take exception. The best protection against the Indians will be the authority to confer with them on the subject of commerce. Such conferences should be particularly held with the Arkansas and Panis, residing on the Red river, and everything possible be done to attach them to us affectionately. In the present state of things between Spain and us, we should spare nothing to secure the friendship of the Indians within reach of her. While Captain Lewis' mission was preparing, as it was understood that his reliance for his longitudes must be on the lunar observations taken, as at sea, with the aid of a time-keeper, and I knew that a thousand accidents might happen to that in such a journey as his, and thus deprive us of the principal object

of the expedition, to wit, the ascertaining the geography of that river, I set myself to consider whether in making observations at land, that furnishes no resource which may dispense with the time-keeper, so necessary at sea. It occcurred to me that as we can always have a meridian at land, that would furnish what we want of it at sea obliges us to supply by the time-keeper. Supposing Captain Lewis then furnished with a meridian, and having the requisite tables and nautical almanac with him,— first, he might find the right ascension of the moon, when on the meridian of Greenwich, on any given day; then find by observation when the moon should attain that right ascension (by the aid of a known star), and measure her distance in that moment from his meridian. This distance would be the difference of longitude between Greenwich and the place of observation. Or secondly, observe the moon's passage over his meridian, and her right ascension at that moment. See by the tables the time at Greenwich when she had that right ascension. That gives her distance from the meridian of Greenwich, when she was on his meridian. Or thirdly, observe the moon's distance from his meridian at any moment, and her right ascension at that moment; and find from the tables her distance from the meridian of Greenwich, when she had that right ascension, which will give the distance of the two meridians. This last process will be simplified by taking, for the moment of observation, that of an appulse of the

moon and a known star, or when the moon and a known star are in the same vertical. I suggested this to Mr. Briggs, who considered it as correct and practicable, and proposed communicating it to the Philosophical Society; but I observed that it was too obvious not to have been thought of before, and supposed it had not been adopted in practice, because of no use at sea, where a meridian cannot be had, and where alone the nations of Europe had occasion for it. Before his confirmation of the idea, however, Captain Lewis was gone. In conversation afterwards with Baron Humboldt, he observed that the idea was correct, but not new; that I would find it in the third volume of Delalande. I received two days ago the third and fourth volumes of Montucla's History of Mathematics, finished and edited by Delalande; and find, in fact, that Morin and Vanlangren, in the seventeenth century, proposed observations of the moon on the meridian, but it does not appear whether they meant to dispense with the time-keeper. But a meridian at sea being too impracticable, their idea was not pursued. The purpose of troubling you with these details, is to submit to your consideration and decision whether any use can be made of them advantageously in our future expeditions, and particularly that up the Red river.

Your letter on the current of the Mississippi, and paper on the same subject, corrected at once my doubts on your theory of the currents of that river. Constant employment in a very different line permits

me to turn to philosophical subjects only when some circumstance forces them on my attention. No occurrence had called my mind to this subject, particularly since I had first been initiated into the original Torricellian doctrine of the velocities at different depths, being in the sub-duplicate ratio of the depths. And though Buat had given me his book while at Paris, your letter was the first occasion of my turning to it, and getting my mind set to rights to a certain degree. There is a subsequent work by Bernard, which is said to have furnished corrections and additions to Buat; but I have never seen it.

The work we are now doing is, I trust, done for posterity, in such a way that they need not repeat it. For this we are much indebted to you, not only for the labor and time you have devoted to it, but for the excellent method of which you have set the example, and which I hope will be the model to be followed by others. We shall delineate with correctness the great arteries of this great country. Those who come after us will extend the ramifications as they become acquainted with them, and fill up the canvas we begin. With my acknowledgments for your zealous aid in this business, accept my friendly salutations, and assurances of great esteem and respect.

TO DOCTOR JOHN SIBLEY.

WASHINGTON, May 27, 1805.

DEAR SIR,—I have been some time a debtor for your letters of March 20th and September 2d, of the last year. A constant pressure of things which will not admit delay, prevents my acknowledging with punctuality the letters I receive, although I am not insensible to the value of the communications, and the favor done me in making them. To these acknowledgments I propose to add a solicitation of a literary kind, to which I am led by your position, favorable to this object, and by a persuasion that you are disposed to make to science those contributions which are within your convenience. The question whether the Indians of America have emigrated from another continent, is still undecided. Their vague and imperfect traditions can satisfy no mind on that subject. I have long considered their languages as the only remaining monument of connection with other nations, or the want of it, to which we can now have access. They will likewise show their connections with one another. Very early in life, therefore, I formed a vocabulary of such objects as, being present everywhere, would probably have a name in every language; and my course of life having given me opportunities of obtaining vocabularies of many Indian tribes, I have done so on my original plan, which though far from being perfect, has the valuable advantage of identity, of thus bring-

ing the languages to the same points of comparison. A letter from you to General Dearborn, giving valuable information respecting the Indians west of the Mississippi and south of the Arkansas, presents a much longer list of tribes than I had expected; and the relations in which you stand with them, and the means of intercourse these will furnish, induce me to hope you will avail us of your means of collecting their languages for this purpose. I enclose you a number of my blank vocabularies, to lessen your trouble as much as I can. I observe you mention several tribes which, having an original language of their own, nevertheless have adopted some other, common to other tribes. But it is their original languages I wish to obtain. I am in hopes you will find persons situated among or near most of the tribes, who will take the trouble of filling up a vocabulary. No matter whether the orthography used be English, Spanish, French, or any other, provided it is stated what the orthography is. To save unnecessary trouble, I should observe that I already possess the vocabularies of the Attacapas and Chetimachas, and no others within the limits before mentioned. I have taken measures for obtaining those north of the Arcansa, and already possess most of the languages on this side the Mississippi. A similar work, but on a much greater scale, has been executed under the auspices of the late empress of Russia, as to the red nations of Asia, which, however, I have never seen. A comparison of our collection with that will prob-

ably decide the question of the sameness or difference of origin, although it will not decide which is the mother country, and which the colony. You will receive from General Dearborn some important instructions with respect to the Indians. Nothing must be spared to convince them of the justice and liberal ty we are determined to use towards them, and to attach them to us ind ssolubly. Accept my apologies for the troub'e I am giv ng you, with my salutat:ons and assurances of respect.

TO THOMAS PAINE.

WASHINGTON, June 5, 1805.

DEAR SIR,—Your letters, Nos. 1, 2, 3, the last of them dated April the 20th, were received April the 26th. I congratulate you on your retirement to your farm, and still more that it is of a character so worthy of your attention. I much doubt whether the open room on your second story will answer your expectations. There will be a few days in the year in which it will be delightful, but not many. Nothing but trees, or Venetian blinds, can protect it from the sun. The s mi-cylindrical roof you propose will have advantages. You know it has been practised on the cloth market at Paris. De Lorme, the inventor, shows many forms of roofs in his book to which it is applicable. I have used it at home for a dome, being one hundred and twenty degrees of an oblong octagon, and in the capitol we unite two

quadrants of a sphere by a semi-cylinder; all framed in De Lorme's manner. How has your planing machine answered? Has it been tried and persevered in by any workmen?

France has become so jealous of our conduct as to St. Domingo (which in truth is only the conduct of our merchants), that the offer to become a mediator would only confirm her suspicions. Bonaparte, however, expressed satisfaction at the paragraph in my message to Congress on the subject of that commerce. With respect to the German redemptioners, you know I can do nothing unless authorized by law. It would be made a question in Congress, whether any of the enumerated objects to which the Constitution authorizes the money of the Union to be applied, would cover an expenditure for importing settlers to Orleans. The letter of the revolutionary sergeant was attended to by General Dearborn, who wrote to him informing him how to proceed to obtain his land.

Doctor Eustis' observation to you, that "certain paragraphs in the National Intelligencer" respecting my letter to you, "supposed to be under Mr. Jefferson's direction, had embarrassed Mr. Jefferson's friends in Massachusetts; that they appeared like a half denial of the letter, or as if there was something in it not proper to be owned, or that needed an apology," is one of those mysterious half confidences difficult to be understood. That tory printers should think it advantageous to identify me with

that paper, the Aurora, etc., in order to obtain ground for abusing me, is perhaps fair warfare. But that any one who knows me personally should listen one moment to such an insinuation, is what I did not expect. I neither have, nor ever had, any more connection with those papers than our antipodes have; nor know what is to be in them until I see it in them, except proclamations and other documents sent for publication. The friends in Massachusetts who could be embarrassed by so weak a weapon as this, must be feeble friends indeed. With respect to the letter, I never hesitated to avow and to justify it in conversation. In no other way do I trouble myself to contradict anything which is said. At that time, however, there were certain anomalies in the motions of some of our friends, which events have at length reduced to regularity.

It seems very difficult to find out what turns things are to take in Europe. I suppose it depends on Austria, which, knowing it is to stand in the way of receiving the first hard blows, is cautious of entering into a coalition. As to France and England we can have but one wish, that they may disable one another from injuring others.

Accept my friendly salutations, and assurances of esteem and respect.

TO JAMES MADISON.

MONTICELLO, August 7, 1805.

DEAR SIR,—On a view of our affairs with Spain, presented me in a letter from C. Pinckney, I wrote you on the 23d of July, that I thought we should offer them the *status quo*, but immediately proposed provincial alliance with England. I have not yet received the whole correspondence. But the portion of the papers now enclosed to you, confirm me in the opinion of the expediency of a treaty with England, but make the offer of the *status quo* more doubtful. The correspondence will probably throw light on that question; from the papers already received I infer a confident reliance on the part of Spain on the omnipotence of Bonaparte, but a desire of procrastination till peace in Europe shall leave us without an ally. General Dearborn has seen all the papers. I will ask the favor of you to communicate them to Mr. Gallatin and Mr. Smith. From Mr. Gallatin I shall ask his first opinion, preparatory to the stating formal questions for our ultimate decision. I am in hopes you can make it convenient to see and consult with Mr. Smith and General Dearborn, unless the latter should come on here where I can do it myself. On the receipt of your own ideas, Mr. Smith's and the other gentlemen, I shall be able to form points for our final consideration and determination.

I enclose you some communications from the Mediterranean. They show Barron's understanding in a

very favorable view. When you shall have perused them, be so good as to enclose them to the Secretary of the Navy. Accept my fervent wishes for the speedy recovery of Mrs. Madison, and your speedy visit to this quarter.

TO JAMES MADISON.

MONTICELLO, August 25, 1805.

DEAR SIR,—I confess that the enclosed letter from General Turreau excites in me both jealousy and offence in undertaking, and without apology, to say in what manner to receive and treat Moreau within our own country. Had Turreau been here longer he would have known that the national authority pays honors to no foreigners. That the State authorities, municipalities and individuals, are free to render whatever they please, voluntarily, and free from restraint by us; and he ought to know that no part of the criminal sentence of another country can have any effect here. The style of that government in the Spanish business, was calculated to excite indignation; but it was a case in which that might have done injury. But the present is a case which would justify some notice in order to let them understand we are not of those powers who will receive and execute mandates. I think the answer should show independence as well as friendship. I am anxious to receive the opinions of our brethren after their review and consideration of the Spanish papers. I am

strongly impressed with a belief of hostile and treacherous intentions against us on the part of France, and that we should lose no time in securing something more than a mutual friendship with England.

Not having heard from you for some posts, I have had a hope you were on the road, and consequently that Mrs. Madison was re-established. We are now in want of rain, having had none in the last ten days. In your quarter I am afraid they have been much longer without it. We hear great complaints from F. Walker's, Lindsay's, Maury's, etc., of drought. Accept affectionate salutations, and assurances of constant friendship.

P. S. I suppose Kuhn, at Genoa, should have new credentials.

TO THE SECRETARY OF STATE.
(JAMES MADISON.)

MONTICELLO, August 27, 1805.

DEAR SIR,—Yours of the 20th has been received, and in that a letter from Casinore, and another from Mrs. Ciracchi; but those from Turreau and to Upryo were not enclosed. Probably the former was what came to me by the preceding post, respecting Moreau; if so, you have my opinion on it in my last. Considering the character of Bonaparte, I think it material at once to let him see that we are not of the powers who will receive his orders.

I think you have misconceived the nature of the treaty I thought we should propose to England. I have no idea of committing ourselves immediately or independently of our further will to the war. The treaty should be provisional only, to come into force on the event of our being engaged in war with either France or Spain during the present war in Europe. In that event we should make common cause, and England should stipulate not to make peace without our obtaining the objects for which we go to war, to wit, the acknowledgment by Spain of the rightful boundaries of Louisiana (which we should reduce to our minimum by a secret article) and 2, indemnification for spoliations, for which purpose we should be allowed to make reprisal on the Floridas and *retain them* as an indemnification. Our co-operation in the war (if we should actually enter into it) would be sufficient consideration for Great Britain to engage for its object; and it being generally known to France and Spain that we had entered into treaty with England, would probably ensure us a peaceable and immediate settlement of both points. But another motive much more powerful would indubitably induce England to go much further. Whatever ill-humor may at times have been expressed against us by individuals of that country, the first wish of every Englishman's heart is to see us once more fighting by their sides against France; nor could the King or his ministers do an act so popular as to enter into an alliance with us. The nation would not

weigh the consideration by grains and scruples. They would consider it as the price and pledge of an indissoluble friendship. I think it possible that for such a provisional treaty their general guarantee of Louisiana and the Floridas. At any rate we might try them. A failure would not make our situation worse. If such a one could be obtained we might await our own convenience for calling up the *casus fœderis*. I think it important that England should receive an overture as early as possible, as it might prevent her listening to terms of peace. If I recollect rightly, we had instructed Moreau, when he went to Paris, to settle the deposit; if he failed in that object to propose a treaty to England immediately. We could not be more engaged to secure the deposit then than we are the country now, after paying fifteen millions for it. I do expect, therefore, that, considering the present state of things as analogous to that, and virtually within his instructions, he will very likely make the proposition to England. I write my thoughts freely, wishing the same from the other gentlemen, that seeing and considering the ground of each other's opinions we may come as soon as possible to a result. I propose to be in Washington by the 2d of October. By that time I hope we shall be ripe for some conclusion.

I have desired Mr. Barnes to pay my quota of expenses relating to the Marseilles cargo, whatever you will be so good as to notify him that it is. I wish I could have heard that Mrs. Madison's course of

recovery were more speedy. I now fear we shall not see you but in Washington. Accept for her and yourself my affectionate salutations, and assurances of constant esteem and respect.

TO JAMES MADISON.

MONTICELLO, September 16, 1805.

DEAR SIR,—The enclosed letter from General Armstrong furnishes matter for consideration. You know the French considered themselves entitled to the Rio Bravo, and that Laussal declared his orders to be to receive possession to that limit, but not to Perdido; and that France has to us been always silent as to the western boundary, while she spoke decisively as to the eastern. You know Turreau agreed with us that neither party should strengthen themselves in the disputed country during negotiation; and Armstrong, who says Monroe concurs with him, is of opinion, from the character of the Emperor, that were we to restrict ourselves to taking the posts on the west side of the Mississippi, and threaten a cessation of intercourse with Spain, Bonaparte would interpose efficiently to prevent the quarrel from going further. Add to these things the fact that Spain has sent five hundred colonists to St. Antonio, and one hundred troops to Nacogdoches, and probably has fixed or prepared a post at the Bay of St. Bernard, at Matagordo. Supposing, then, a previous alliance with England to guard us in the worst

event, I should propose that Congress should pass acts, 1, authorizing the executive to suspend intercourse with Spain at discretion; 2, to dislodge the new establishments of Spain between the Mississippi and Bravo; and 3, to appoint commissioners to examine and ascertain all claims for spoliation that they might be preserved for future indemnification. I commit these ideas merely for consideration, and that the subject may be matured by the time of our meeting at Washington, where I shall be myself on the 2d of October. I have for some time feared I should not have the pleasure of seeing you either in Albemarle or Orange, from a general observation of the slowness of surgical cases. However, should Mrs. Madison be well enough for you to come to Orange, I will call on you on my way to Washington, if I can learn you are at home. General Dearborn is here. His motions depend on the stage. Accept for Mrs. Madison and yourself affectionate salutations.

P. S. I am afraid Bowdoin's journey to England will furnish a ground for Pinckney's remaining at Madrid. I think he should be instructed to leave it immediately, and Bowdoin might as well, perhaps, delay going there till circumstances render it more necessary.

TO ALBERT GALLATIN.

WASHINGTON, October 18, 1805.

DEAR SIR,—I had detained the letter of Mr. Merry on Foster's claims of freedom from importing duties, in expectation that Mr. Madison's return would enable him, you and myself, to confer on it. If the case presses, I will express my opinion on it. Every person diplomatic *in his own right*, is entitled to the privileges of the law of nations, in his own right. Among these is the receipt of all packages unopened and unexamined by the country which receives him. The usage of nations has established that this shall liberate whatever is imported *bona fide* for his own use, from paying any duty. A government may control the number of diplomatic characters it will receive; but if it receives them it cannot control their rights while *bona fide* exercised. Thus Dr. Franklin, Mr. Adams, Colonel Humphreys, and myself, all residing at Paris at the same time, had all of us our importation duty free. Great Britain had an ambassador and a minister plenipotentiary there, and an ambassador extra for several years; all three had their entries free. In most countries this privilege is permanent. Great Britain is niggardly, and allows it only on the first arrival. But in this as she treats us only as *she does* the most favored nations, so we should treat her as *we do* the most favored nations. If these principles are right, Mr. Foster is duty free. If you concur, let it be so

settled. If you think differently, let it lie for Madison's opinion. Colonel Monroe, in a letter of May, from Madrid, expressed impatience to get back to London that he might get to America before the equinox. It was the first I had heard of his having any thought of coming here, and though equivocally expressed, I thought he meant only a visit. In subsequent letters from Paris and London, down to August 16, he says nothing of coming; on the contrary, he has re-opened a particular negotiation. The motives which led him to wish to arrive before the equinox would prevent his venturing between the equinox and winter. I think, therefore, he has no fixed idea of coming away. Accept affectionate salutations.

TO DOCTORS ROGERS AND SLAUGHTER.

WASHINGTON, March 2, 1806.

GENTLEMEN,—I have received the favor of your letter of February the 2d, and read with thankfulness its obliging expressions respecting myself. I regret that the object of a letter from persons whom I so much esteem, and patronized by so many other respectable names, should be beyond the law which a mature consideration of circumstances has prescribed for my conduct. I deem it the duty of every man to devote a certain portion of his income for charitable purposes; and that it is his further duty to see it so applied as to do the most good of which

it is capable. This I believe to be best insured, by keeping within the circle of his own inquiry and information the subjects of distress to whose relief his contributions shall be applied. If this rule be reasonable in private life, it becomes so necessary in my situation, that to relinquish it would leave me without rule or compass. The applications of this kind from different parts of our own, and from foreign countries, are far beyond any resources within my command. The mission of Serampore, in the East Indies, the object of the present application, is but one of many items. However disposed the mind may feel to unlimited good, our means having limits, we are necessarily circumscribed by them. They are too narrow to relieve even the distresses under my own eye; and to desert these for others which we neither see nor know, is to omit doing a certain good for one which is uncertain. I know, indeed, there have been splendid associations for effecting benevolent purposes in remote regions of the earth. But no experience of their effect has proved that more good would not have been done by the same means employed nearer home. In explaining, however, my own motives of action, I must not be understood as impeaching those of others. Their views are those of an expanded liberality. Mine may be too much restrained by the law of usefulness. But it is a law to me, and with minds like yours, will be felt as a justification. With this apology, I pray you to accept my salutations, and assurances of high esteem and respect.

TO WILLIAM DUANE.

WASHINGTON, March 22, 1806.

I thank you, my good Sir, cordially, for your letter of the 12th, which however I did not receive till the 20th. It is a proof of sincerity, which I value above all things; as, between those who practise it, falsehood and malice work their efforts in vain. There is an enemy somewhere endeavoring to sow discord among us. Instead of listening first, then doubting, and lastly believing anile tales handed round without an atom of evidence, if my friends will address themselves to me directly, as you have done, they shall be informed with frankness and thankfulness. There is not a truth on earth which I fear or would disguise. But secret slanders cannot be disarmed, because they are secret. Although you desire no answer, I shall give you one to those articles admitting a short answer, reserving those which require more explanation than the compass of a letter admits, to conversation on your arrival here. And as I write this for your personal satisfaction, I rely that my letter will, under no circumstances, be communicated to any mortal, because you well know how every syllable from me is distorted by the ingenuity of my political enemies.

In the first place, then, I have had less communication, directly or indirectly, with the republicans of the east, this session, than I ever had before. This has proceeded from accidental circumstances, not from design. And if there be any coolness between those

of the south and myself, it has not been from me towards them. Certainly there has been no other reserve than to avoid taking part in the divisions among our friends. That Mr. R. has openly attacked the administration is sufficiently known. We were not disposed to join in league with Britain, under any belief that she is fighting for the liberties of mankind, and to enter into war with Spain, and consequently France. The House of Representatives were in the same sentiment, when they rejected Mr. R.'s resolutions for raising a body of regular troops for the western service. We are for a peaceable accommodation with all those nations, if it can be effected honorably. This, perhaps, is not the only ground of his alienation; but which side retains its orthodoxy, the vote of eighty-seven to eleven republicans may satisfy you; but you will better satisfy yourself on coming here, where alone the true state of things can be known, and where you will see republicanism as solidly embodied on all essential points, as you ever saw it on any occasion.

That there is only one minister who is not opposed to me, is totally unfounded. There never was a more harmonious, a more cordial administration, nor ever a moment when it has been otherwise. And while differences of opinion have been always rare among us, I can affirm, that as to present matters, there was not a single paragraph in my message to Congress, or those supplementary to it, in which there was not a unanimity of concurrence in the members of the

unanimity of concurrence in the members of the administration. The fact is, that in ordinary affairs every head of a department consults me on those of his department, and where anything arises too difficult or important to be decided between us, the consultation becomes general.

That there is an ostensible Cabinet and a concealed one, a public profession and concealed counteraction, is false.

That I have denounced republicans by the epithet of Jacobins, and declared I would appoint none but those called moderates of both parties, and that I have avowed or entertain any predilection for those called the third party, or Quids, is in every tittle of it false.

That the expedition of Miranda was countenanced by me, is an absolute falsehood, let it have gone from whom it might; and I am satisfied it is equally so as to Mr. Madison. To know as much of it as we could was our duty, but not to encourage it.

Our situation is difficult; and whatever we do is liable to the criticisms of those who wish to represent it awry. If we recommend measures in a public message, it may be said that members are not sent here to obey the mandates of the President, or to register the edicts of a sovereign. If we express opinions in conversation, we have then our Charles Jenkinsons, and back-door counsellors. If we say nothing, "we have no opinions, no plans, no Cabinet." In truth it is the fable of the old man, his son and ass, over again.

These are short facts which may suffice to inspire you with caution, until you can come here and examine for yourself. No other information can give you a true insight into the state of things; but you will have no difficulty in understanding them when on the spot. In the meantime, accept my friendly salutations and cordial good wishes.

TO WILSON C. NICHOLAS.—(CONFIDENTIAL.)

WASHINGTON, March 24, 1806.

DEAR SIR,—A last effort at friendly settlement with Spain is proposed to be made at Paris, and under the auspices of France. For this purpose, General Armstrong and Mr. Bowdoin (both now at Paris) have been appointed joint commissioners; but such a cloud of dissatisfaction rests on General Armstrong in the minds of many persons, on account of a late occurrence stated in all the public papers, that we have in contemplation to add a third commissioner, in order to give the necessary measure of public confidence to the commission. Of these two gentlemen, one being of Massachusetts and one of New York, it is thought the third should be a southern man; and the rather, as the interests to be negotiated are almost entirely southern and western. This addition is not yet ultimately decided on; but I am inclined to believe it will be adopted. Under this expectation, and my wish that you may be willing to undertake it, I give you

the earliest possible intimation of it, that you may be preparing both your mind and your measures for the mission. The departure would be required to be very prompt; though the absence I think will not be long, Bonaparte not being in the practice of procrastination. This particular consideration will, I hope, reconcile the voyage to your affairs and your feelings. The allowance to an extra mission, is salary from the day of leaving home, and expenses to the place of destination, or in lieu of the latter, and to avoid settlements, a competent fixed sum may be given. For the return, a continuance of the salary for three months after fulfilment of the commission. Be so good as to make up your mind as quickly as possible, and to answer me as early as possible. Consider the measure as proposed provisionally only, and not to be communicated to any mortal until we see it proper.

Affectionate salutations.

TO WILSON C. NICHOLAS.

WASHINGTON, April 13, 1806.

DEAR SIR,—The situation of your affairs certainly furnishes good cause for your not acceding to my proposition of a special mission to Europe. My only hope had been, that they could have gone on one summer without you. An unjust hostility against General Armstrong will, I am afraid, show itself whenever any treaty made by him shall be

offered for ratification. I wished, therefore, to provide against this, by joining a person who would have united the confidence of the whole Senate. General Smith was so prominent in the opposition to Armstrong, that it would be impossible for them to act together. We conclude, therefore, to leave the matter with Armstrong and Bowdoin. Indeed, my dear Sir, I wish sincerely you were back in the Senate; and that you would take the necessary measures to get yourself there. Perhaps, as a preliminary, you should go to our legislature. Giles' absence has been a most serious misfortune. A majority of the Senate means well. But Tracy and Bayard are too dexterous for them, and have very much influenced their proceedings. Tracy has been of nearly every committee during the session, and for the most part the chairman, and of course drawer of the reports. Seven federalists voting always in phalanx, and joined by some discontented republicans, some oblique ones, some capricious, have so often made a majority, as to produce very serious embarrassment to the public operations; and very much do I dread the submitting to them, at the next session, any treaty which can be made with either England or Spain, when I consider that five joining the federalists, can defeat a friendly settlement of our affairs. The House of Representatives is as well disposed as I ever saw one. The defection of so prominent a leader, threw them into dismay and confusion for a moment; but

they soon rallied to their own principles, and let them go off with five or six followers only. One half of these are from Virginia. His late declaration of perpetual opposition to this administration, drew off a few others who at first had joined him, supposing his opposition occasional only, and not systematic. The alarm the House has had from this schism, has produced a rallying together and a harmony, which carelessness and security had begun to endanger. On the whole, this little trial of the firmness of our representatives in their principles, and that of the people also, which is declaring itself in support of their public functionaries, has added much to my confidence in the stability of our government; and to my conviction, that, should things go wrong at any time, the people will set them to rights by the peaceable exercise of their elective rights. To explain to you the character of this schism, its objects and combinations, can only be done in conversation; and must be deferred till I see you at Monticello, where I shall probably be about the 10th or 12th of May, to pass the rest of the month there. Congress has agreed to rise on Monday, the 21st.

Accept my affectionate salutations.

TO LEVETT HARRIS.

WASHINGTON, April 18, 1806.

SIR,—It is now some time since I received from you, through the house of Smith and Buchanan, at Baltimore, a bust of the Emperor Alexander, for which I have to return you my thanks. These are the more cordial, because of the value the bust derives from the great estimation in which its original is held by the world, and by none more than by myself. It will constitute one of the most valued ornaments of the retreat I am preparing for myself at my native home. Accept, at the same time, my acknowledgments for the elegant work of Atkinson and Walker on the customs of the Russians. I had laid it down as a law for my conduct while in office, and hitherto scrupulously observed, to accept of no present beyond a book, a pamphlet, or other curiosity of minor value; as well to avoid imputation on my motives of action, as to shut out a practice susceptible of such abuse. But my particular esteem for the character of the Emperor, places his image in my mind above the scope of law. I receive it, therefore, and shall cherish it with affection. It nourishes the contemplation of all the good placed in his power, and of his disposition to do it.

A little before Dr. Priestley's death, he informed me that he had received intimations, through a channel he confided in, that the Emperor entertained

a wish to know something of our Constitution. I have therefore selected the two best works we have on that subject, for which I pray you to ask a place in his library. They are too much in detail to occupy his time; but they will furnish materials for an abstract, to be made by others, on such a scale as may bring the matter within the compass of the time which his higher callings can yield to such an object.

At a very early period of my life, contemplating the history of the aboriginal inhabitants of America, I was led to believe that if there had ever been a relation between them and the men of color in Asia, traces of it would be found in their several languages. I have therefore availed myself of every opportunity which has offered, to obtain vocabularies of such tribes as have been within my reach, corresponding to a list then formed of about two hundred and fifty words. In this I have made such progress, that within a year or two more I think to give to the public what I then shall have acquired. I have lately seen a report of Mr. Volney's to the Celtic academy, on a work of Mr. Pallas, entitled "Vocabularies compares des langues de toute la terre;" with a list of one hundred and thirty words, to which the vocabulary is limited. I find that seventy-three of these words are common to that and to my vocabulary, and therefore will enable us, by a comparison of language, to make the inquiry so long desired, as to the probability of a common

origin between the people of color of the two continents. I have to ask the favor of you to procure me a copy of the above work of Pallas, to inform me of the cost, and permit me to pay it here to your use; for I presume you have some mercantile correspondent here, to whom a payment can be made for you. A want of knowledge what the book may cost, as well as of the means of making so small a remittance, obliges me to make this proposition, and to restrain it to the sole condition that I be permitted to reimburse it here.

I enclose you a letter for the Emperor, which be pleased to deliver or have delivered; it has some relation to a subject which the Secretary of State will explain to you.

Accept my salutations, and assurances of esteem and consideration.

TO THE EMPEROR OF RUSSIA.

WASHINGTON, April 19, 1806.

I owe an acknowledgment to your Imperial Majesty for the great satisfaction I have received from your letter of August the 20th, 1805, and embrace the opportunity it affords of giving expression to the sincere respect and veneration I entertain for your character. It will be among the latest and most soothing comforts of my life, to have seen advanced to the government of so extensive a portion of the earth, and at so early a period of his

life, a sovereign whose ruling passion is the advancement of the happiness and prosperity of his people; and not of his own people only, but who can extend his eye and his good will to a distant and infant nation, unoffending in its course, unambitious in its views.

The events of Europe come to us so late, and so suspiciously, that observations on them would certainly be stale, and possibly wide of their actual state. From their general aspect, however, I collect that your Majesty's interposition in them has been disinterested and generous, and having in view only the general good of the great European family. When you shall proceed to the pacification which is to re-establish peace and commerce, the same dispositions of mind will lead you to think of the general intercourse of nations, and to make that provision for its future maintenance which, in times past, it has so much needed. The northern nations of Europe, at the head of which your Majesty is distinguished, are habitually peaceable. The United States of America, like them, are attached to peace. We have then with them a common interest in the neutral rights. Every nation indeed, on the continent of Europe, belligerent as well as neutral, is interested in maintaining these rights, in liberalizing them progressively with the progress of science and refinement of morality, and in relieving them from restrictions which the extension of the arts has long since rendered unreasonable and vexatious.

Two personages in Europe, of which your Majesty is one, have it in their power, at the approaching pacification, to render eminent service to nations in general, by incorporating into the act of pacification, a correct definition of the rights of neutrals on the high seas. Such a definition, declared by all the powers lately or still belligerent, would give to those rights a precision and notoriety, and cover them with an authority, which would protect them in an important degree against future violation; and should any further sanction be necessary, that of an exclusion of the violating nation from commercial intercourse with all the others, would be preferred to war, as more analogous to the offence, more easy and likely to be executed with good faith. The essential articles of these rights, too, are so few and simple as easily to be defined.

Having taken no part in the past or existing troubles of Europe, we have no part to act in its pacification. But as principles may then be settled in which we have a deep interest, it is a great happiness for us that they are placed under the protection of an umpire, who, looking beyond the narrow bounds of an individual nation, will take under the cover of his equity the rights of the absent and unrepresented. It is only by a happy concurrence of good characters and good occasions, that a step can now and then be taken to advance the well-being of nations. If the present occasion be good, I am sure your Majesty's character will not be wanting

to avail the world of it. By monuments of such good offices, may your life become an epoch in the history of the condition of man; and may He who called it into being, for the good of the human family, give it length of days and success, and have it always in His holy keeping.

TO COLONEL JAMES MONROE.

WASHINGTON, May 4, 1806.

DEAR SIR,—I wrote you on the 16th of March by a common vessel, and then expected to have had, on the rising of Congress, an opportunity of peculiar confidence to you. Mr. Beckley then supposed he should take a flying trip to London, on private business. But I believe he does not find it convenient. He could have let you into the *arcana rerum*, which you have interests in knowing. Mr. Pinckney's pursuits having been confined to his peculiar line, he has only that general knowledge of what has passed here which the public possess. He has a just view of things so far as known to him. Our old friend, Mercer, broke off from us some time ago; at first professing to disdain joining the federalists, yet, from the habit of voting together, becoming soon identified with them. Without carrying over with him one single person, he is now in a state of as perfect obscurity as if his name had never been known. Mr. J. Randolph is in the same track, and will end in the same way. His course

has excited considerable alarm. Timid men consider it as a proof of the weakness of our government, and that it is to be rent into pieces by demagogues, and to end in anarchy. I survey the scene with a different eye, and draw a different augury from it. In a House of Representatives of a great mass of good sense, Mr. Randolph's popular eloquence gave him such advantages as to place him unrivalled as the leader of the House; and, although not conciliatory to those whom he led, principles of duty and patriotism induced many of them to swallow humiliations he subjected them to, and to vote as was right, as long as he kept the path of right himself. The sudden defection of such a man could not but produce a momentary astonishment, and even dismay; but for a moment only. The good sense of the House rallied around its principles, and without any leader pursued steadily the business of the session, did it well, and by a strength of vote which has never before been seen. Upon all trying questions, exclusive of the federalists, the minority of republicans voting with him has been from four to six or eight, against from ninety to one hundred; and although he yet treats the federalists with ineffable contempt, yet, having declared eternal opposition to this administration, and consequently associated with them in his votes, he will, like Mercer, end with them. The augury I draw from this is, that there is a steady, good sense in the Legislature, and in the body of the nation,

joined with good intentions, which will lead them to discern and to pursue the public good under all circumstances which can arise, and that no *ignis fatuus* will be able to lead them long astray. In the present case, the public sentiment, as far as declarations of it have yet come in, is, without a single exception, in firm adherence to the administration. One popular paper is endeavoring to maintain equivocal ground; approving the administration in all its proceedings, and Mr. Randolph in all those which have heretofore merited approbation, carefully avoiding to mention his late aberration. The ultimate view of this paper is friendly to you; and the editor, with more judgment than him who assumes to be at the head of your friends, sees that the ground of opposition to the administration is not that on which it would be advantageous to you to be planted. The great body of your friends are among the firmest adherents to the administration; and in their support of you, will suffer Mr. Randolph to have no communications with them. My former letter told you the line which both duty and inclination would lead me sacredly to pursue. But it is unfortunate for you to be embarrassed with such a *soi-disant* friend. You must not commit yourself to him. These views may assist you to understand such details as Mr. Pinckney will give you. If you are here at any time before the fall, it will be in time for any object you may have, and by that time the public

sentiment will be more decisively declared. I wish you were here at present, to take your choice of the two governments of Orleans and Louisiana, in either of which I could now place you; and I verily believe it would be to your advantage to be just that much withdrawn from the focus of the ensuing contest, until its event should be known. The one has a salary of five thousand dollars, the other of two thousand dollars; both with excellent hotels for the Governor. The latter at St. Louis, where there is good society, both French and American; a healthy climate, and the finest field in the United States for acquiring property. The former not unhealthy, if you begin a residence there in the month of November. The Mrs. Trists and their connections are established there. As I think you can within four months inform me what you say to this, I will keep things in their present state till the last day of August, for your answer.

The late change in the ministry I consider as insuring us a just settlement of our differences, and we ask no more. In Mr. Fox, personally, I have more confidence than in any man in England, and it is founded in what, through unquestionable channels, I have had opportunities of knowing of his honesty and his good sense. While he shall be in the administration, my reliance on that government will be solid. We had committed ourselves in a line of proceedings adapted to meet Mr. Pitt's policy and hostility, before we heard of his death, which self-

respect did not permit us to abandon afterwards; and the late unparalleled outrage on us at New York excited such sentiments in the public at large, as did not permit us to do less than has been done. It ought not to be viewed by the ministry as looking towards them at all, but merely as the consequences of the measures of their predecessors, which their nation has called on them to correct. I hope, therefore, they will come to just arrangements. No two countries upon earth have so many points of common interest and friendship; and their rulers must be great bunglers indeed, if, with such dispositions, they break them asunder. The only rivalry that can arise is on the ocean. England may, by petty larceny thwartings, check us on that element a little, but nothing she can do will retard us there one year's growth. We shall be supported there by other nations, and thrown into their scale to make a part of the great counterpoise to her navy. If, on the other hand, she is just to us, conciliatory, and encourages the sentiment of family feelings and conduct, it cannot fail to befriend the security of both. We have the seamen and materials for fifty ships of the line, and half that number of frigates; and were France to give us the money, and England the dispositions to equip them, they would give to England serious proofs of the stock from which they are sprung, and the school in which they have been taught; and added to the efforts of the

immensity of seacoast lately united under one power, would leave the state of the ocean no longer problematical. Were, on the other hand, England to give the money, and France the dispositions to place us on the sea in all our force, the whole world, out of the continent of Europe, might be our joint monopoly. We wish for neither of these scenes. We ask for peace and justice from all nations; and we will remain uprightly neutral in fact, though leaning in belief to the opinion that an English ascendancy on the ocean is safer for us than that of France. We begin to broach the idea that we consider the whole Gulf Stream as of our waters, in which hostilities and cruising are to be frowned on for the present, and prohibited so soon as either consent or force will permit us. We shall never permit another privateer to cruise within it, and shall forbid our harbors to national cruisers. This is essential for our tranquillity and commerce. Be so good as to have the enclosed letters delivered, to present me to your family, and be assured yourself of my unalterable friendship.

For fear of accidents, I shall not make the unnecessary addition of my name.

TO GENERAL SAMUEL SMITH

WASHINGTON, May 4, 1806.

DEAR SIR,—I received your favor covering some papers from General Wilkinson. I have repented

but one appointment there, that of Lucas, whose temper I see overrules every good quality and every qualification he has. Not a single fact has appeared, which occasions me to doubt that I could have made a fitter appointment than General Wilkinson. One qualm of principle I acknowledge I do feel, I mean the union of the civil and military authority. You remember that when I came into office, while we were lodging together at Conrad's, he was pressed on me to be made Governor of the Mississippi territory; and that I refused it on that very principle. When, therefore, the House of Representatives took that ground, I was not insensible to its having some weight. But in the appointment to Louisiana, I did not think myself departing from my own principle, because I consider it not as a civil government, but merely a military station. The Legislature had sanctioned that idea by the establishment of the office of Commandant, in which were completely blended the civil and military powers. It seemed, therefore, that the Governor should be in suit with them. I observed, too, that the House of Representatives, on the very day they passed the stricture on this union of authorities, passed a bill making the Governor of Michigan commander of the regular troops which should at any time be within his government. However, on the subject of General Wilkinson nothing is in contemplation at this time. We shall see what turn things take at home and abroad in the course of

the summer. Monroe has had a second conversation with Mr. Fox, which gives me hopes that we shall have an amicable arrangement with that government. Accept my friendly salutations, and assurances of great esteem and respect.

TO THOMAS DIGGES.

July 1, 1806.

Thomas Jefferson salutes Mr. Digges with friendship and respect, and sends him the newspapers received last night. He is sorry that only the latter part of the particular publication which Mr. Digges wished to see, is in them. He will be happy to see Mr. Digges and his friends on the fourth of July, and to join in congratulations on the return of the day which divorced us from the follies and crimes of Europe, from a dollar in the pound at least of six hundred millions sterling, and from all the ruin of Mr. Pitt's administration. We, too, shall encounter follies; but if great, they will be short, if long, they will be light; and the vigor of our country will get the better of them. Mr. Pitt's follies have been great, long, and inflicted on a body emaciated with age, and exhausted by excesses beyond its power to bear.

TO BARNABAS BIDWELL.

WASHINGTON, July 5, 1806.

SIR,—Your favor of June the 21st has been duly received. We have not as yet heard from General Skinner on the subject of his office. Three persons are proposed on the most respectable recommendations, and under circumstances of such equality as renders it difficult to decide between them. But it shall be done impartially. I sincerely congratulate you on the triumph of republicanism in Massachusetts. The Hydra of federalism has now lost all its heads but two. Connecticut I think will soon follow Massachusetts. Delaware will probably remain what it ever has been a mere county of England, conquered indeed, and held under by force, but always disposed to counter-revolution. I speak of its majority only.

Our information from London continues to give us hopes of an accommodation there on both the points of "accustomed commerce and impressment." In this there must probably be some mutual concession, because we cannot expect to obtain everything and yield nothing. But I hope it will be such an one as may be accepted. The arrival of the Hornet in France is so recently known, that it will yet be some time before we learn our prospects there. Notwithstanding the efforts made here, and made professedly to assassinate that negotiation in embryo, if the good sense of Bonaparte should pre-

vail over his temper, the present state of things in Europe may induce him to require of Spain that she should do us justice at least. That he should require her to sell us East Florida, we have no right to insist; yet there are not wanting considerations which may induce him to wish a permanent foundation for peace laid between us. In this treaty, whatever it shall be, our old enemies the federalists, and their new friends, will find enough to carp at. This is a thing of course, and I should suspect error where they found no fault The buzzard feeds on carrion only. Their rallying point is "war with France and Spain, and alliance with Great Britain:" and everything is wrong with them which checks their new ardor to be fighting for the liberties of mankind; on the sea always excepted. There one nation is to monopolize all the liberties of the others.

I read with extreme regret, the expressions of an inclination on your part to retire from Congress. I will not say that this time, more than all others, calls for the service of every man; but I will say, there never was a time when the services of those who possess talents, integrity, firmness, and sound judgment, were more wanted in Congress. Some one of that description is particularly wanted to take the lead in the House of Representatives, to consider the business of the nation as his own business, to take it up as if he were singly charged with it, and carry it through. I do not mean that any gentleman, relinquishing his own judgment, should

implicitly support all the measures of the administration; but that, where he does not disapprove of them, he should not suffer them to go off in sleep, but bring them to the attention of the House, and give them a fair chance. Where he disapproves, he will of course leave them to be brought forward by those who concur in the sentiment. Shall I explain my idea by an example? The classification of the militia was communicated to General Varnum and yourself merely as a proposition, which, if you approved, it was trusted you would support. I knew, indeed, that General Varnum was opposed to anything which might break up the present organization of the militia: but when so modified as to avoid this, I thought he might, perhaps, be reconciled to it. As soon as I found it did not coincide with your sentiments, I could not wish you to support it; but using the same freedom of opinion, I procured it to be brought forward elsewhere. It failed there, also, and for a time, perhaps, may not prevail; but a militia can never be used for distant service on any other plan; and Bonaparte will conquer the world, if they do not learn his secret of composing armies of young men only, whose enthusiasm and health enable them to surmount all obstacles. When a gentleman, through zeal for the public service, undertakes to do the public business, we know that we shall hear the cant of backstairs' councillors. But we never heard this while the declaimer was himself a backstairs' man,

as he calls it, but in the confidence and views of the administration, as may more properly and respectfully be said. But if the members are to know nothing but what is important enough to be put into a public message, and indifferent enough to be made known to all the world; if the Executive is to keep all other information to himself, and the House to plunge on in the dark, it becomes a government of chance and not of design. The imputation was one of those artifices used to despoil an adversary of his most effectual arms; and men of mind will place themselves above a gabble of this order. The last session of Congress was indeed an uneasy one for a time; but as soon as the members penetrated into the views of those who were taking a new course, they rallied in as solid a phalanx as I have ever seen act together. Indeed I have never seen a House of better dispositions. * * * * * * * Perhaps I am not entitled to speak with so much frankness; but it proceeds from no motive which has not a right to your forgiveness. Opportunities of candid explanation are so seldom afforded me, that I must not lose them when they occur.

The information I receive from your quarter agrees with that from the south; that the late schism has made not the smallest impression on the public, and that the seceders are obliged to give to it other grounds than those which we know to be the true ones. All we have to wish is, that at the ensuing session, every one may take the part openly

which he secretly befriends. I recollect nothing new and true, worthy communicating to you. As for what is not true, you will always find abundance in the newspapers. Among other things, are those perpetual alarms as to the Indians, for no one of which has there ever been the slightest ground. They are the suggestions of hostile traders, always wishing to embroil us with the Indians, to perpetuate their own extortionate commerce. I salute you with esteem and respect.

TO JAMES BOWDOIN.

WASHINGTON, July 10, 1806.

DEAR SIR,—I believe that when you left America the invention of the polygraph had not yet reached Boston. It is for copying with one pen while you write with the other, and without the least additional embarrassment or exertion to the writer. I think it the finest invention of the present age, and so much superior to the copying machine, that the latter will never be continued a day by any one who tries the polygraph. It was invented by a Mr. Hawkins, of Frankford, near Philadelphia, who is now in England, turning it to good account. Knowing that you are in the habit of writing much, I have flattered myself that I could add acceptably to your daily convenience by presenting you with one of these delightful machines. I have accordingly had one made, and to be certain of its perfec-

tion I have used it myself some weeks, and have the satisfaction to find it the best one I have ever tried; and in the course of two years' daily use of them, I have had opportunities of trying several. As a secretary, which copies for us what we write without the power of revealing it, I find it a most precious possession to a man in public business. I enclose directions for unpacking and using the machine when you receive it; but the machine itself must await a special and sure conveyance under the care of some person going to Paris. It is ready packed, and shall go by the first proper conveyance.

As we heard two or three weeks ago of the safe arrival of the Hornet at L'Orient, we are anxiously waiting to learn from you the first impressions on her mission. If you can succeed in procuring us Florida, and a good western boundary, it will fill the American mind with joy. It will secure to our fellow citizens one of the most ardent wishes, a long peace with Spain and France. For be assured, the object of war with them and alliance with England, which, at the last session of Congress, drew off from the republican band about half a dozen of its members, is universally reprobated by our *native* citizens from north to south, I have never seen the nation stand more firm to its principles, or rally so firmly to its constituted authorities, and in reprobation of the opposition to them. With England, I think we shall cut off the resource of impressing our sea-

men to fight her battles, and establish the inviolability of our flag in its commerce with her enemies. We shall thus become what we sincerely wish to be, honestly neutral, and truly useful to both belligerents. To the one, by keeping open market for the consumption of her manufactures, while they are excluded from all the other countries under the power of her enemy; to the other, by securing for her a safe carriage of all her productions, metropolitan or colonial, while her own means are restrained by her enemy, and may, therefore, be employed in other useful pursuits. We are certainly more useful friends to France and Spain as neutrals, than as allies. I hope they will be sensible of it, and by a wise removal of all grounds of future misunderstanding to another age, enable you to present us such an arrangement, as will insure to our fellow citizens long and permanent peace and friendship with them. With respect to our western boundary, your instructions will be your guide. I will only add, as a comment to them, that we are attached to the retaining of the Bay of St. Bernard, because it was the first establishment of the unfortunate La Salle, was the cradle of Louisiana, and more incontestably covered and conveyed to us by France, under that name, than any other spot in the country. This will be secured to us by taking for our western boundary the Guadaloupe, and from its head around the sources of all waters eastward of it, to the highlands embracing the waters running into the Mis-

sissippi. However, all these things I presume will be settled before you receive this; and I hope so settled as to give peace and satisfaction to us all.

Our crops of wheat are greater than have ever been known, and are now nearly secured. A caterpillar gave for awhile great alarm, but did little injury. Of tobacco, not half a crop has been planted for want of rain; and even this half, with cotton and Indian corn, has yet many chances to run.

This summer will place our harbors in a situation to maintain peace and order with them. The next, or certainly the one following that, will so provide them with gunboats and common batteries, as to be *hors d'insulte*. Although our prospect is peace, our policy and purpose is to provide for defence by all those means to which our resources are competent.

I salute you with friendship, and assure you of my high respect and consideration.

TO W. A. BURWELL.

MONTICELLO, September 17, 1806.

DEAR SIR,—Yours of August the 7th, from Liberty, never got to my hands till the 9th instant. About the same time I received the Enquirer, in which Decius was so judiciously answered. The writer of that paper observed, that the matter of Decius consisted, first of facts; secondly, of infer-

ences from these facts: that he was not well enough informed to affirm or deny his facts, and he therefore examines his inferences, and in a very masterly manner shows that even were his facts true, the reasonable inferences from them are very different from those drawn by Decius. But his facts are far from truth, and should be corrected. It happened that Mr. Madison and General Dearborn were here when I received your letter. I therefore, with them, took up Decius and read him deliberately; and our memories aided one another in correcting his bold and unauthorized assertions. I shall note the most material of them in the order of the paper.

1. It is grossly false that our ministers, as is said in a note, had proposed to surrender our claims to compensation for Spanish spoliations, or even for French. Their instructions were to make no treaty in which Spanish spoliations were not provided for; and although they were permitted to be silent as to French spoliations carried into Spanish ports, they were not expressly to abandon even them. 2. It is not true that our ministers, in agreeing to establish the Colorado as our western boundary, had been obliged to exceed the authority of their instructions. Although we considered our title good as far as the Rio Bravo, yet in proportion to what they could obtain east of the Mississippi, they were to relinquish to the westward, and successive sacrifices were marked out, of which even the Colorado was not the last. 3. It is not true that the

Louisiana treaty was antedated, lest Great Britain should consider our supplying her enemies with money as a breach of neutrality. After the very words of the treaty were finally agreed to, it took some time, perhaps some days, to make out all the copies in the very splendid manner of Bonaparte's treaties. Whether the 30th of April, 1803, the date expressed, was the day of the actual compact, or that on which it was signed, our memories do not enable us to say. If the former, then it is strictly conformable to the day of the compact; if the latter, then it was postdated, instead of being antedated. The motive assigned too, is as incorrect as the fact. It was so far from being thought, by any party, a breach of neutrality, that the British minister congratulated Mr. King on the acquisition, and declared that the King had learned it with great pleasure; and when Baring, the British banker, asked leave of the minister to purchase the debt and furnish the money to France, the minister declared to him, that so far from throwing obstacles in the way, if there were any difficulty in the payment of the money, it was the interest of Great Britain to aid it. 4. He speaks of a double set of opinions and principles; the one ostensible, to go on the journals and before the public, the other efficient, and the real motives to action. But where are these double opinions and principles? The executive informed the legislature of the wrongs of Spain, and that preparation should be made to

repel them, by force, if necessary. But as it might still be possible to negotiate a settlement, they asked such means as might enable them to meet the negotiation, whatever form it might take. The first part of this system was communicated publicly, the second, privately; but both were equally official, equally involved the responsibility of the executive, and were equally to go on the journals. 5. That the purchase of the Floridas was in direct opposition to the views of the executive, as expressed in the President's *official* communication. It was not in opposition even to the public part of the communication, which did not recommend war, but only to be prepared for it. It perfectly harmonized with the private part, which asked the means of negotiation in such terms as covered the purchase of Florida as evidently as it was proper to speak it out. He speaks of secret communications between the executive and members, of backstairs' influence, etc. But he never spoke of this while he and Mr. Nicholson enjoyed it most solely. But when he differed from the executive in a leading measure, and the executive, not submitting to him, expressed their sentiments to others, the very sentiments (to wit, the purchase of Florida) which he acknowledges they expressed to him, then he roars out upon backstairs' influence. 6. The committee, he says, forebore to recommend offensive measures. Is this true? Did not they recommend the raising —— regiments? Besides,

if it was proper for the committee to forbear recommending offensive measures, was it not proper for the executive and Legislature to exercise the same forbearance? 7. He says Monroe's letter had a most important bearing on our Spanish relations. Monroe's letter related, almost entirely, to our British relations. Of those with Spain he knew nothing particular since he left that country. Accordingly, in his letter he simply expressed an opinion on our affairs with Spain, of which he knew we had better information than he could possess. His opinion was no more than that of any other sensible man; and his letter was proper to be communicated with the English papers, and with them only. That the executive did not hold it up on account of any bearing on Spanish affairs, is evident from the fact that it was communicated when the Senate had not yet entered on the Spanish affairs, and had not yet received the papers relating to them from the other House. The moment the Representatives were ready to enter on the British affairs, Monroe's letter, which peculiarly related to them, and was *official* solely as to them, was communicated to both Houses, the Senate being then about entering on Spanish affairs.

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These, my dear Sir, are the principal facts worth correction. Make any use of them you think best, without letting your source of information be known. Can you send me some cones or seeds of the cucum-

ber tree? Accept affectionate salutations, and assurances of great esteem and respect.

TO ALBERT GALLATIN.

WASHINGTON, October 12, 1806.

DEAR SIR,—You witnessed in the earlier part of the administration, the malignant and long-continued efforts which the federalists exerted in their newspapers to produce misunderstanding between Mr. Madison and myself. These failed completely. A like attempt was afterwards made, through other channels, to effect a similar purpose between General Dearborn and myself, but with no more success. The machinations of the last session to put you at cross questions with us all, were so obvious as to be seen at the first glance of every eye. In order to destroy one member of the administration, the whole were to be set to loggerheads to destroy one another. I observe in the papers lately, new attempts to revive this stale artifice, and that they squint more directly towards you and myself. I cannot, therefore, be satisfied, till I declare to you explicitly, that my affections and confidence in you are nothing impaired, and that they cannot be impaired by means so unworthy the notice of candid and honorable minds. I make the declaration, that no doubts or jealousies, which often beget the facts they fear, may find a moment's harbor in either of our minds. I have so much reliance on

the superior good sense and candor of all those associated with me, as to be satisfied they will not suffer either friend or foe to sow tares among us. Our administration now drawing towards a close, I have a sublime pleasure in believing it will be distinguished as much by having placed itself above all the passions which could disturb its harmony, as by the great operations by which it will have advanced the well-being of the nation.

Accept my affectionate salutations, and assurances of my constant and unalterable respect and attachment.

TO GENERAL JAMES WILKINSON.

WASHINGTON, January 3, 1807.

DEAR SIR,—I had intended yesterday to recommend to General Dearborn the writing to you weekly by post, to convey information of our western affairs, so long as they are interesting, because it is possible, though not probable, you might sometimes get the information quicker this way than down the river, but the General received yesterday information of the death of his son in the East Indies, and of course cannot now attend to business. I therefore write you a hasty line for the present week, and send it in duplicates by the Athens and the Nashville routes.

The information in the enclosed paper, as to proceedings in the State of Ohio, is correct. Blenner-

hasset's flotilla of fifteen boats and two hundred barrels of provisions, is seized, and there can be no doubt that Tyler's flotilla is also taken, because, on the 17th of December, we know there was a sufficient force assembled at Cincinnati to intercept it there, and another party was in pursuit of it on the river above. We are assured that these two flotillas composed the whole of the boats, provided Blennerhasset and Tyler had fled down the river. I do not believe that the number of persons engaged for Burr has ever amounted to five hundred, though some have carried them to one thousand or fifteen hundred. A part of these were engaged as settlers of Bastrop's land, but the greater part of these were engaged under the express assurance that the projected enterprise was against Mexico, and secretly authorized by this government. Many were expressly enlisted in the name of the United States. The proclamation which reached Pittsburg, December 2d, and the other parts of the river successively, undeceived both these classes, and of course drew them off, and I have never seen any proof of their having assembled more than forty men in two boats from Beaver, fifty in Tyler's flotilla, and the boatmen of Blennerhasset's. I believe therefore, that the enterprise may be considered as crushed, but we are not to relax in our attentions until we hear what has passed at Louisville. If everything from that place upwards be successfully arrested, there is nothing from below that is to be feared. Be assured

that Tennessee, and particularly General Jackson, are faithful. The orders lodged at Massac and the Chickasaw bluffs, will probably secure the interception of such fugitives from justice as may escape from Louisville, so that I think you will never see one of them. Still I would not wish, till we hear from Louisville, that you should relax your preparations in the least, except so far as to dispense with the militia of Mississippi and Orleans leaving their homes under our order of November 25th. Only let them consider themselves under requisition, and be in a state of readiness should any force, too great for your regulars, escape down the river. You will have been sensible that those orders were given while we supposed you were on the Sabine, and the supposed crisis did not admit the formality of their being passed through you. We had considered Fort Adams as the place to make a stand, because it covered the mouth of the Red river. You have preferred New Orleans on the apprehension of a fleet from the West Indies. Be assured there is not any foundation for such an expectation, but the lying exaggerations of those traitors to impose on others and swell their pretended means. The very man whom they represented to you as gone to Jamaica, and to bring the fleet, has never been from home, and has regularly communicated to me everything which had passed between Burr and him. No such proposition was ever hazarded to him. France or Spain would not send a fleet

to take Vera Cruz; and though one of the expeditions now near arriving from England, is probably for Vera Cruz, and perhaps already there, yet the state of things between us renders it impossible they should countenance an enterprise unauthorized by us. Still I repeat that these grounds of security must not stop our proceedings or preparations until they are further confirmed. Go on, therefore, with your works for the defence of New Orleans, because they will always be useful, only looking to what should be permanent rather than means merely temporary. You may expect further information as we receive it, and though I expect it will be such as will place us at our ease, yet we must not place ourselves so until it be certain, but act on the possibility that the resources of our enemy may be greater and deeper than we are yet informed.

Your two confidential messengers delivered their charges safely. One arrived yesterday only with your letter of November 12th. The oral communications he made me are truly important. I beseech you to take the most special care of the two letters which he mentioned to me, the one in cypher, the other from another of the conspirators of high standing, and to send them to me by the first conveyance you can trust. It is necessary that all important testimony should be brought to one centre, in order that the guilty may be convicted, and the innocent left untroubled. Accept my friendly salutations, and assurances of great esteem and respect.

TO MR. GALLATIN.

January 4, 1807.

There is a vessel fitting out at New York, formerly called the Emperor, now the James, or the Brutus (accounts differ), to carry 22 guns and 150 men, and to be commanded by Blakely, who went out Lieutenant of the Leander. She is confidently believed to be destined for Burr at New Orleans. The collector should be put on his guard; he can get much information from the Mayor of New York on the subject. If Blakely went out really with Miranda as Lieutenant, he should be immediately arrested and put on his trial. Will you be so good as to take the necessary measures on this subject?

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TO ALBERT GALLATIN.

January 6, 1807.

Mr. Clarke left with me the papers I now send you, presenting the claim of the Corporation of New Orleans to all the lands between the city and the Bayou St. Jean, as a common. What is to be done? The subject is broader than these papers present. I presume this claim would be proper for an investigation and report by the commissioners. I believe it to be a plot against Lafayette. That there should be left a reasonable common for them we had directed; but they might as well claim to the ocean as to the Bayou St. Jean. I am certain there is in

some of Claiborne's letters information that they never had a right to a common, but under a kind of lease or permission for a term of years expired long since.

But I think we should go further, and direct the governor to report to us in detail all the lots and buildings owned by the public in New Orleans, stating the use they were applied to under the former government, and that for which they would be proper now; to be laid before Congress at their next session, for their determination. Indeed I am not certain but that Claiborne has made such a report to the Secretary at War. Affectionate salutations.

TO CHARLES CLAY.

WASHINGTON, January 11, 1807.

DEAR SIR—Yours of December 19th has been duly received, and I thank you for your friendly attention to the offer of lands adjoining me for sale. It is true that I have always wished to purchase a part of what was Murray's tract, which would straighten the lines of the Poplar Forest, but I really am not able to make a purchase. I had hoped to keep the expenses of my office within the limits of its salary, so as to apply my private income entirely to the improvement and enlargement of my estate; but I have not been able to do it.

Our affairs with Spain, after which you inquire, do not promise the result we wish. Not that war

will take place immediately, but they may go off without a settlement, and leave us in constant bickering about indemnification for spoliations, the navigation of the Mobile and the limits of Louisiana. Burr's enterprise is the most extraordinary since the days of Don Quixote. It is so extravagant that those who know his understanding, would not believe it if the proofs admitted doubt. He has meant to place himself on the throne of Montezuma, and extend his empire to the Alleghany, seizing on New Orleans as the instrument of compulsion for our western States. I think his undertaking effectually crippled by the activity of Ohio. Whether Kentucky will give him the *coup de grace* is doubtful; but if he is able to descend the river with any means, we are sufficiently prepared at New Orleans. I hope, however, Kentucky will do its duty, and finish the matter for the honor of popular government, and the discouragement of all arguments for standing armies. Accept my friendly salutations, and assurances of great esteem and respect.

TO JONATHAN WILLIAMS AND C. W. PEALE, JUDGES OF ELECTION FOR THE A. P. SOCIETY.

WASHINGTON, January 12, 1807.

GENTLEMEN,—I am again to return the tribute of my thanks for the continued proofs of favor from the American Philosophical Society; and I ever do it with sincere gratitude, sensible it is the effect of

their good will, and not of any services I have it in my power to render them. I pray you to convey to them these expressions of my dutiful acknowledgments, and to accept yourselves thanks for the favorable terms in which your letter of the 2d instant announces the suffrage of the Society.

I am happy at the same time to greet them on the safe return of a valuable member of our fraternity, from a journey of uncommon length and peril. He will ere long be with them, and present them with the additions he brings to our knowledge of the geography and natural history of our country, from the Mississippi to the Pacific.

Tendering them my humble respects, permit me to add for yourselves my friendly salutations, and assurances of high consideration.

TO ALBERT GALLATIN.

January 12, 1807.

I return you the letter of Mr. Gelston respecting the Brutus. From what I learn, she cannot be destined for the Mississippi, because she draws too much water to enter it. However, considering the difficulty Congress finds in enlarging the limits of our preventive powers, I think we should be cautious how we step across those limits ourselves. She is probably bound to St. Domingo. Could not Congress, while continuing that law, amend it so as to prevent the abuse actually practised? Affectionate salutations.

TO JOHN DICKINSON.

WASHINGTON, January 13, 1807.

MY DEAR AND ANCIENT FRIEND,—I have duly received your favor of the 1st instant, and am ever thankful for communications which may guide me in the duties which I wish to perform as well as I am able. It is but too true that great discontents exist in the territory of Orleans. Those of the French inhabitants háve for their sources, 1, the prohibition of importing slaves. This may be partly removed by Congress permitting them to receive slaves from the other States, which, by dividing that evil, would lessen its danger; 2, the administration of justice in our forms, principles, and language, with all of which they are unacquainted, and are the more abhorrent, because of the enormous expense, greatly exaggerated by the corruption of bankrupt and greedy lawyers, who have gone there from the United States and engrossed the practice; 3, the call on them by the land commissioners to produce the titles of their lands. The object of this is really to record and secure their rights. But as many of them hold on rights so ancient that the title papers are lost, they expect the land is to be taken from them whenever they cannot produce a regular deduction of title in writing. In this they will be undeceived by the final result, which will evince to them a liberal disposition of the government towards them. Among the American inhabit-

ants it is the old division of federalists and republicans. The former are as hostile there as they are everywhere, and are the most numerous and wealthy. They have been long endeavoring to batter down the Governor, who has always been a firm republican. There were characters superior to him whom I wished to appoint, but they refused the office: I know no better man who would accept of it, and it would not be right to turn him out for one not better. But it is the second cause, above mentioned, which is deep-seated and permanent. The French members of the Legislature, being the majority in both Houses, lately passed an act declaring that the civil, or French laws, should be the laws of their land, and enumerated about fifty folio volumes, in Latin, as the depositories of these laws. The Governor negatived the act. One of the Houses thereupon passed a vote for self-dissolution of the Legislature as a useless body, which failed in the other House by a single vote only. They separated, however, and have disseminated all the discontent they could. I propose to the members of Congress in conversation, the enlisting thirty thousand volunteers, Americans by birth, to be carried at the public expense, and settled immediately on a bounty of one hundred and sixty acres of land each, on the west side of the Mississippi, on the condition of giving two years of military service, if that country should be attacked within seven years. The defence of the country would thus be placed on the spot, and the

additional number would entitle the territory to become a State, would make the majority American, and make it an American instead of a French State. This would not sweeten the pill to the French; but in making that acquisition we had some view to our own good as well as theirs, and I believe the greatest good of both will be promoted by whatever will amalgamate us together.

I have tired you, my friend, with a long letter. But your tedium will end in a few lines more. Mine has yet two years to endure. I am tired of an office where I can do no more good than many others, who would be glad to be employed in it. To myself, personally, it brings nothing but unceasing drudgery and daily loss of friends. Every office becoming vacant, every appointment made, *me donne un ingrat, et cent ennemis.* My only consolation is in the belief that my fellow citizens at large give me credit for good intentions. I will certainly endeavor to merit the continuance of that good-will which follows well-intended actions, and their approbation will be the dearest reward I can carry into retirement.

God bless you, my excellent friend, and give you yet many healthy and happy years.

TO WILLIAM W. HENING.

WASHINGTON, January 14, 1807.

SIR,—Your letter of December 26th, was received in due time. The only object I had in making my collection of the laws of Virginia, was to save all those for the public which were not then already lost, in the hope that at some future day they might be republished. Whether this be by public or private enterprise, my end will be equally answered. The book divides itself into two very distinct parts; to wit, the printed and the unprinted laws. The former begin in 1682 (Pervis' collection). My collection of these is in strong volumes, well bound, and therefore may safely be transported anywhere. Any of these volumes which you do not possess, are at your service for the purpose of republication, but the unprinted laws are dispersed through many MS. volumes, several of them so decayed that the leaf can never be opened but once without falling into powder. These can never bear removal further than from their shelf to a table. They are, as well as I recollect, from 1622 downwards. I formerly made such a digest of their order, and the volumes where they are to be found, that, under my own superintendence, they could be copied with once handling. More they would not bear. Hence the impracticability of their being copied but at Monticello. But independent of them, the printed laws, beginning in

1682, with all our former printed collections, will be a most valuable publication, and sufficiently distinct. I shall have no doubt of the exactness of your part of the work, but I hope you will take measures for having the typography and paper worthy of the work. I am led to this caution by the scandalous volume of our laws printed by Pleasants in 1803, and those by Davis in 1796 were little better; both unworthy the history of Tom Thumb. You can have them better and cheaper printed anywhere north of Richmond. Accept my salutations, and assurances of respect.

TO DANIEL CLARKE, ESQ.

WASHINGTON, January 14, 1807.

SIR,—I have examined the papers you left with me on the claim to the common of New Orleans, and finding the subject to be within the cognizance of the Board of Commissioners for that territory, they will be immediately instructed to make full inquiry into the foundation of the claim, and to report it for the decision of Congress.

With respect to the lots and buildings in the city of New Orleans, held by the public, the Governor will be immediately instructed to report an exact list of them, stating the uses to which they were applied under the former government, and those for which he thinks them proper at present, which shall be laid before Congress at their next

session, the Legislature alone being competent to their final disposition.

I have lodged in the Treasury Office the papers you left with me; but if you wish their return, they will there be delivered to you. Accept my salutations and assurances of respect.

TO GENERAL JOHN SHEE.

WASHINGTON, January 14, 1807.

SIR,—Your letter of the 16th ult. was duly received, conveying a tender of the Philadelphia republican militia legion, of their voluntary services, against either foreign or domestic foes. The pressure of business, usual at this season, has prevented its earlier acknowledgment, and the return of my thanks, on the public behalf, for this example of patriotic spirit. Always a friend to peace, and believing it to promote eminently the happiness and prosperity of nations, I am ever unwilling that it should be disturbed, until greater and more important interests call for an appeal to force. Whenever that shall take place, I feel a perfect confidence that the energy and enterprise displayed by my fellow citizens in the pursuits of peace, will be equally eminent in those of war. The Legislature have now under consideration, in what manner, and to what extent, the executive may be permitted to accept the service of volunteers, should the public peace be disturbed, either from without or within.

In whatever way they shall give that authority, the legion may be assured that no unreasonable use shall be made of the proffer which their laudable zeal has prompted them to make. With my just acknowledgments to them, I pray you to accept personally the assurance of my high consideration and respect.

TO CAPTAIN CHARLES CHRISTIAN.

WASHINGTON, January 14, 1807.

SIR,—I have duly received your letter of December 24th, conveying a tender, by the officers, non-commissioned officers, and privates of the Saratoga Rangers, of their voluntary services to support the Constitution, laws, and integrity of our country, when the constitutional authorities shall declare it necessary, and I now, on the public behalf, return them thanks for this example of patriotic spirit. Always a friend to peace, and believing it to promote eminently the happiness and prosperity of mankind, I am ever unwilling that it should be disturbed until greater and more imperious interests call for an appeal to force. Whenever that shall take place, I feel a perfect confidence that the energy and enterprise displayed by my fellow citizens in the pursuits of peace, will be equally eminent in those of war. The Legislature have now under consideration, in what manner, and to what extent, the executive may be permitted to accept the service of

volunteers, should the public peace be disturbed either from without or within. In whatever way they shall give that authority, the Saratoga Rangers may be assured that no unreasonable use shall be made of the proffer which their laudable zeal has prompted them to make. With my acknowledgments to them, I pray you to accept personally the assurance of my high consideration and respect.

TO GOVERNOR CHARLES PINCKNEY.

WASHINGTON, January 20, 1807.

DEAR SIR,—I received two days ago a letter from General Wilkinson, dated at New Orleans, December 14th, in which he enclosed me an affidavit, of which I now transmit you a copy. You will perceive that it authenticates the copy of a letter from Colonel Burr to the General, affirming that Mr. Alston, his son-in-law, is engaged in the unlawful enterprises he is carrying on, and is to be an actor in them. I am to add, also, that I have received information from another source, that Mr. Alston, while returning from Kentucky last autumn through the upper part of your State, proposed to a Mr. Butler of that part of the country, to join in Colonel Burr's enterprise, which he represented as of a nature to make his fortune, and is understood to have been explained as against Mexico, as well as for separating the Union of these States. That Butler communicated this to a person, of the same

part of the country, called Span, who communicated it to a Mr. Horan, the clerk of a court in that quarter; that Butler and Span agreed to join in the enterprise, but Horan refused.

Nobody is a better judge than yourself whether any and what measures can be taken on this information. As to General Wilkinson's affidavit, it will be laid before the Legislature in a few days and, of course, will be public; but as to the other part, if no use can be made of it, your own discretion and candor would lead you to keep it secret. It is further well known here that Mr. Alston is an endorser to a considerable amount, of the bills which have enabled Colonel Burr to prepare his treasons. A message which I shall send into the Legislature two days hence, will give a development of them. I avail myself with pleasure of this opportunity of recalling myself to your recollection, and of assuring you of my constant esteem and high consideration.

TO ALBERT GALLATIN, SECRETARY OF THE TREASURY.

January 24, 1807.

Several French vessels of war, disabled from keeping the sea, by the storms which some time since took place on our coast, put into the harbors of the United States to avoid the danger of shipwreck. The Minister of their nation states that their crews are without resources for subsistence, and other

necessaries, for the reimbursement of which he offers bills on his government, the faith of which he pledges for their punctual payment.

The laws of humanity make it a duty for nations, as well as individuals, to succor those whom accident and distress have thrown upon them. By doing this in the present case, to the extent of mere *subsistence and necessaries*, and so as to aid no military equipment, we shall keep within the duties of rigorous neutrality, which never can be in opposition to those of humanity. We furnished, on a former occasion, to a distressed crew of the other belligerent party, similar accommodations, and we have ourselves received, from both those powers, friendly and free supplies to the necessities of our vessels of war in their Mediterranean ports. In fact, the governments of civilized nations generally are in the practice of exercising these offices of humanity towards each other. Our government having as yet made no regular provision for the exchange of these offices of courtesy and humanity between nations, the honor, the interest, and the duty of our country requires that we should adopt any other mode by which it may legally be done on the present occasion. It is expected that we shall want a large sum of money in Europe, for the purposes of the present negotiation with Spain, and besides this we want annually large sums there, for the discharge of our instalments of debt. Under these circumstances, supported by the unanimous opinion of the heads

of departments, given on the 15th of December, and again about the 10th instant, and firmly trusting that the government of France will feel itself peculiarly interested in the punctual discharge of the bills drawn by their Minister, for the sole subsistence of their people, I approve of the Secretary of the Treasury's taking the bills of the Minister of France, to an amount not exceeding sixty thousand dollars, which according to his own, as well as our estimate, will subsist his people until he will have had time to be furnished with funds from his own government.

TO ALBERT GALLATIN.

January 31, 1807.

Satisfied that New Orleans must fall a prey to any power which shall attack it, in spite of any means we now possess, I see no security for it but in planting on the spot the force which is to defend it. I therefore suggest to some members of the Senate to add to the volunteer bill now before them, as an amendment, some such section as that enclosed, which is on the principles of what we agreed on last year, except the omission of the two years' service. If, by giving one hundred miles square of that country, we can secure the rest, and at the same time create an American majority before Orleans becomes a State, it will be the best bargain ever made. As you are intimate with the details of the Land Office, I will thank you to make any amend-

ments to the enclosed in that part, or in any other which you may think needs it. Affectionate salutations.

TO JAMES MADISON.

Sunday, February 1, 1607.

The more I consider the letter of our minister in London, the more seriously it impresses me. I believe the *sine qua non* we made is that of the nation, and that they would rather go on without a treaty than with one which does not settle this article. Under this dilemma, and at this stage of the business, had we not better take the advice of the Senate? I ask a meeting at eleven o'clock to-morrow, to consult on this question.

TO GOVERNOR EDWARD TIFFIN.

WASHINGTON, February 2, 1807.

SIR,—The pressure of business during a session of the Legislature has rendered me more tardy in addressing you than it was my wish to have been. That our fellow citizens of the West would need only to be informed of criminal machinations against the public safety to crush them at once, I never entertained a doubt. I have seen with the greatest satisfaction that among those who have distinguished themselves by their fidelity to their country, on the occasion of the enterprise of Mr.

Burr, yourself and the Legislature of Ohio have been the most eminent. The promptitude and energy displayed by your State has been as honorable to itself as salutary to its sister States; and in declaring that you have deserved well of your country, I do but express the grateful sentiment of every faithful citizen in it. The hand of the people has given the mortal blow to a conspiracy which, in other countries, would have called for an appeal to armies, and has proved that government to be the strongest of which every man feels himself a part. It is a happy illustration, too, of the importance of preserving to the State authorities all that vigor which the Constitution foresaw would be necessary, not only for their own safety, but for that of the whole. In making these acknowledgments of the merit of having set this illustrious example of exertion for the common safety, I pray that they may be considered as addressed to yourself and the Legislature particularly, and generally to every citizen who has availed himself of the opportunity given of proving his devotion to his country. Accept my salutations, and assurances of great consideration and esteem.

TO GENERAL JAMES WILKINSON.

WASHINGTON, February 3, 1807.

SIR,—A returning express gives me an opportunity of acknowledging the receipt of your letters

of November 12th, December 9th, 10th, 14th, 18th, 25th, 26th, and January 2d. I wrote to you January 3d, and through Mr. Briggs, January 10th. The former being written while the Secretary at War was unable to attend to business, gave you the state of the information we then possessed as to Burr's conspiracy. I now enclose you a message, containing a complete history of it from the commencement down to the eve of his departure from Nashville; and two subsequent messages showed that he began his descent of the Mississippi January 1st, with ten boats, from eighty to one hundred men of his party, navigated by sixty oarsmen not at all of his party. This, I think, is fully the force with which he will be able to meet your gunboats; and as I think he was uninformed of your proceedings, and could not get the information till he would reach Natchez, I am in hopes that before this date he is in your possession. Although we at no time believed he could carry any formidable force out of the Ohio, yet we thought it safest that you should be prepared to receive him with all the force which could be assembled, and with that view our orders were given; and we were pleased to see that without waiting for them, you adopted nearly the same plan yourself, and acted on it with promptitude; the difference between yours and ours proceeding from your expecting an attack by sea, which we knew was impossible, either by England or by a fleet under Truxton, who was at home; or by our

own navy, which was under our own eye. Your belief that Burr would really descend with six or seven thousand men, was no doubt founded on what you knew of the numbers which could be raised in the Western country for an expedition to Mexico, *under the authority of the government;* but you probably did not calculate that the want of that authority would take from him every honest man, and leave him only the desperadoes of his party, which in no part of the United States can ever be a numerous body. In approving, therefore, as we do approve, of the defensive operations for New Orleans, we are obliged to estimate them, not according to our own view of the danger, but to place ourselves in your situation, and only with your information. Your sending here Swartwout and Bollman, and adding to them Burr, Blannerhasset, and Tyler, should they fall into your hands, will be supported by the public opinion. As to Alexander, who is arrived, and Ogden, expected, the evidence yet received will not be sufficient to commit them. I hope, however, you will not extend this deportation to persons against whom there is only suspicion, or shades of offence not strongly marked. In that case, I fear the public sentiment would desert you; because, seeing no danger here, violations of law are felt with strength. I have thought it just to give you these views of the sentiments and sensations here, as they may enlighten your path. I am thoroughly sensible of the painful

difficulties of your situation, expecting an attack from an overwhelming force, unversed in law, surrounded by suspected persons, and in a nation tender as to everything infringing liberty, and especially from the military. You have doubtless seen a good deal of malicious insinuation in the papers against you. This, of course, begot suspicion and distrust in those acquainted with the line of your conduct. We, who knew it, have not failed to strengthen the public confidence in you; and I can assure you that your conduct, as now known, has placed you on ground extremely favorable with the public. Burr and his emissaries found it convenient to sow a distrust in your mind of our dispositions towards you; but be assured that you will be cordially supported in the line of your duties. I pray you to send me D.'s original letter, communicated through Briggs, by the first entirely safe conveyance. Accept my friendly salutations, and assurances of esteem and respect.

TO GOVERNOR W. C. C. CLAIBORNE.

WASHINGTON, February 3, 1807.

DEAR SIR,—I pray you to read the enclosed letter, to seal and deliver it. It explains itself so fully, that I need say nothing. I am sincerely concerned for Mr. Reibelt, who is a man of excellent understanding and extensive science. If you had any academical berth, he would be much better

fitted for that than for the bustling business of life. I enclose to General Wilkinson my message of January 22d. I presume, however, you will have seen it in the papers. It gives the history of Burr's conspiracy, all but the last chapter, which will, I hope, be that of his capture before this time, at Natchez. Your situations have been difficult, and we judge of the merit of our agents there by the magnitude of the danger as it appeared to them, not as it was known to us. On great occasions every good officer must be ready to risk himself in going beyond the strict line of law, when the public preservation requires it; his motives will be a justification as far as there is any discretion in his ultra-legal proceedings, and no indulgence of private feelings. On the whole, this squall, by showing with what ease our government suppresses movements which in other countries requires armies, has greatly increased its strength by increasing the public confidence in it. It has been a wholesome lesson too to our citizens, of the necessary obedience to their government. The Feds, and the little band of Quids, in opposition, will try to make something of the infringement of liberty by the military arrest and deportation of citizens, but if it does not go beyond such offenders as Swartwout, Bollman, Burr, Blennerhasset, Tyler, etc., they will be supported by the public approbation. Accept my friendly salutations, and assurances of esteem and respect.

TO ROBERT SMITH.

February 6, 1807.

A resolution of the House of Representatives of yesterday, asks from me information as to the efficacy of the gunboat defence, what particular ports we propose to place them in, and how many in each. I will enumerate the particular ports, but instead of saying literally how many to each, on which there would be a thousand opinions, I will throw them into groups as below, and say how many to each group. Will you be so good as to state how many you would think necessary for each of the ports below mentioned, to give them such a degree of protection as you think would be sufficiently effectual in time of war? Also to strike out any of the ports here named, and insert others as you shall think best:

Mississippi river,	New York,
Lake Ponchartrain,	New London,
Savannah,	Newport,
Beaufort,	Boston,
Charleston,	Newburyport,
Cape Fear,	Portsmouth,
Ocracock,	Portland,
Chesapeake Bay and water	Kennebeck,
Delaware Bay,	Penobscot,

Passamaquoddy.

Send me also, if you please, copies of the opinions of certain officers on the effect of gunboats, which I believe, were formerly laid before a committee.

A similar note in substance was sent to General Dearborn.

TO ALBERT GALLATIN.

February 9, 1807.

I thank you for the case in the Siman Sea, which escaped my recollection. It was indeed a very favorable one. I have adopted your other amendments, except as to the not building *now;* my own opinion being very strongly against this for these reasons: 1st. The 127 gunboats cannot be built in one, two, or even six months. Commodore Preble told me he could build those he undertook, in two months. They were but four, and though he was preparing during the winter, was engaged in April, and pressed to expedite them, they were not ready for sea till November. 2d. After war commences they cannot be built in New York, Boston, Norfolk, or any seaport, because they would be destroyed by the enemy, on the stocks. They could then be built only in interior places, inaccessible to ships and defended by the body of the country, where the building would be slow. 3d. The first operation of war by an enterprising enemy would be to sweep all our seaports, of their vessels at least. 4th. The expense of their preservation would be all but

nothing, because I have had the opinion of, I believe, every captain of the navy, that the largest of our gunboats can be drawn up, out of the water, and placed under a shed with great ease, by preparing ways and capstans proper for it, and always ready to let her down again. Such of them as are built in suitable places may remain on the stocks unlaunched. 5th. Full the half of the whole number would be small, and not costing more than three-fifths of the large ones. Affectionate salutations.

TO THOMAS SEYMOUR, ESQ.

WASHINGTON, February 11, 1807.

SIR,—The mass of business which occurs during a session of the Legislature, renders me necessarily unpunctual in acknowledging the receipt of letters, and in answering those which will admit of delay. This must be my apology for being so late in noticing the receipt of the letter of December 20th, addressed to me by yourself, and several other republican characters of your State of high respectability. I have seen with deep concern the afflicting oppression under which the republican citizens of Connecticut suffer from an unjust majority. The truths expressed in your letter have been long exposed to the nation through the channel of the public papers, and are the more readily believed because most of the States during the momentary ascendancy of kindred majorities, in them have seen the same spirit of opposition prevail.

With respect to the countervailing prosecutions now instituted in the Court of the United States in Connecticut, I had heard but little, and certainly, I believe, never expressed a sentiment on them. That a spirit of indignation and retaliation should arise when an opportunity should present itself, was too much within the human constitution to excite either surprise or censure, and confined to an appeal to truth only, it cannot lessen the useful freedom of the press.

As to myself, conscious that there was not a *truth* on earth which I feared should be known, I have lent myself willingly as the subject of a great experiment, which was to prove that an administration, conducting itself with integrity and common understanding, cannot be battered down, even by the falsehoods of a licentious press, and consequently still less by the press, as restrained within the legal and wholesome limits of truth. This experiment was wanting for the world to demonstrate the falsehood of the pretext that freedom of the press is incompatible with orderly government. I have never therefore even contradicted the thousands of calumnies so industriously propagated against myself. But the fact being once established, that the press is impotent when it abandons itself to falsehood, I leave to others to restore it to its strength, by recalling it within the pale of truth. Within that it is a noble institution, equally the friend of science and of civil liberty. If this can

once be effected in your State, I trust we shall soon see its citizens rally to the republican principles of our Constitution, which unite their sister-States into one family. It would seem impossible that an intelligent people, with the faculty of reading and right of thinking, should continue much longer to slumber under the pupilage of an interested aristocracy of priests and lawyers, persuading them to distrust themselves, and to let them think for them. I sincerely wish that your efforts may awaken them from this voluntary degradation of mind, restore them to a due estimate of themselves and their fellow citizens, and a just abhorrence of the falsehoods and artifices which have seduced them. Experience of the use made by federalism of whatever comes from me, obliges me to suggest the caution of considering my letter as private. I pray you to present me respectfully to the other gentlemen who joined in the letter to me, and to whom this is equally addressed, and to accept yourself my salutations, and assurances of great esteem and consideration.

TO GENERAL HENRY DEARBORN.

February 14, 1807.

Thomas Jefferson salutes General Dearborn with friendship, and communicates the following information from Captain Lewis, which may be useful to Colonel Freeman, and our future explorers; and

indeed may enable us understandingly to do acceptable things to our Louisiana neighbors when we wish to gratify them.

He says the following are the articles in highest value with them:

1. *Blue* beads. This is a coarse cheap bead imported from China, and costing in England 13*d.* the pound, in strands. It is far more valued by the Indians than the *white* beads of the same manufacture, and answers all the purposes of money, being counted by the fathom. He says that were his journey to be performed again, one-half or two-thirds of his stores *in value* should be of these.

2. Common brass buttons, more valued than anything except beads.

3. Knives.

4. Battleaxes and tomahawks.

5. Saddlers' seat awls, which answer for moccasin awls.

6. Some glovers' needles.

7. Some iron combs.

8. Some nests of camp kettles; brass is much preferred to iron, though both are very useful to the Indians.

Arrow-points should have been added.

TO JOSEPH H. NICHOLSON.

WASHINGTON, February 20, 1807.

DEAR SIR,—I did not receive your letter of the 18th till this morning. I am as yet in possession

of no evidence against Adair, which could convict him. General Wilkinson writes me that he would send the evidence against him and Ogden by the officer bringing them, and that officer informed General Dearborn (from Baltimore) that he was in possession of a large packet from General Wilkinson to me, which he was ordered to deliver into my hands only; and, on that, he was ordered to come on with his prisoners, that they and the evidence against them might be delivered up to the court here. If the evidence, however, be found conclusive, they can be arrested again, if it shall be worth while. Their crimes are defeated, and whether they shall be punished or not belongs to another department, and is not the subject of even a wish on my part. Accept my friendly salutations, and assurances of great respect and esteem.

TO DR. CASPER WISTAR.

WASHINGTON, February 25, 1807.

DEAR SIR,—I enclose you a letter from Dr. Goforth on the subject of the bones of the mammoth. Immediately on the receipt of this, as I found it was in my power to accomplish the wishes of the society for the completion of this skeleton with more certainty than through the channel proposed in the letter, I set the thing into motion, so that it will be effected without any expense to the society, or other trouble than to indicate the particular bones

wanting. Being acquainted with Mr. Ross, proprietor of the big bone lick, I wrote to him for permission to search for such particular bones as the society might desire, and I expect to receive it in a few days. Captain Clarke (companion of Captain Lewis) who is now here, agrees, as he passes through that country, to stop at the Lick, employ laborers, and superintend the search at my expense, not that of the society, and to send me the specific bones wanted, without further trespassing on the deposit, about which Mr. Ross would be tender, and particularly where he apprehended that the person employed would wish to collect for himself. If, therefore, you will be so good as to send me a list of the bones wanting (the one you formerly sent me having been forwarded to Dr. Brown), the business shall be effected without encroaching at all on the funds of the society, and it will be particularly gratifying to me to have the opportunity of being of some use to them. But send me the list if you please without any delay, as Captain Clarke returns in a few days, and we should lose the opportunity. I send you a paper from Dr. Thornton for the society. Accept my friendly salutations, and assurances of great esteem and respect.

TO CHANDLER PRICE.

WASHINGTON, February 28, 1807.

SIR,—Your favor of the 24th was received this morning. The greatest favor which can be done

me is the communication of the opinions of judicious men, of men who do not suffer their judgments to be biassed by either interests or passions. Of this character, I know Mr. Morgan to be. I return you the original of the letter of January 15th, having copied it to a mark in the 4th page, which you will see. I retain, as I understand, with your permission, the copies of those of January 22d and 27th, because they are copies; and the original of December 31st, because it relates wholly to public matters. They shall be sacredly reserved to myself, and for my own information only. The fortification of New Orleans will be taken up on a sufficient footing; but the other part of Mr. Morgan's wish, an additional regular force, will not prevail. The spirit of this country is totally adverse to a large military force. I have tried for two sessions to prevail on the Legislature to let me plant thirty thousand well chosen volunteers on donation lands on the west side of the Mississippi, as a militia always at hand for the defence of New Orleans; but I have not yet succeeded. The opinion grows, and will perhaps ripen by the next session. A great security for that country is, that there is a moral certainty that neither France nor England would meddle with that country, while the present state of Europe continues, and Spain we fear not. Accept my salutations, and assurances of esteem and respect.

TO THE KING OF HOLLAND.

February 28, 1807.

GREAT AND GOOD FRIEND,—Having received your letter of September last, which notifies your accession to the throne of Holland, I tender you in behalf of the United States my congratulations on this event. Connected with that nation by the earliest ties of friendship, and maintaining with them uninterrupted relations of peace and commerce, no event which interests their welfare can be indifferent to us. It is therefore with great pleasure I receive the assurances of your Majesty that you will continue to cherish these ancient relations; and we shall, on our part, endeavor to strengthen your good will by a faithful observance of justice, and by all the good offices which occasion shall permit. Distant as we are from the powers of Europe, and devoted to pursuits which separate us from their affairs, we still look with brotherly concern on whatever affects those nations, and offer constant prayers for their welfare. With a friendly solicitude for your Majesty's person, I pray God, that He may always have you, great and good friend, in His holy keeping. Done, etc.

TO WILSON C. NICHOLAS.

WASHINGTON, February 28, 1807.

DEAR SIR,—Your letter of January the 20th was received in due time. But such has been the con-

stant pressure of business, that it has been out of my power to answer it. Indeed, the subjects of it would be almost beyond the extent of a letter, and as I hope to see you ere long at Monticello, it can then be more effectually done verbally. Let me observe, however, generally, that it is impossible for my friends ever to render me so acceptable a favor, as by communicating to me, without reserve, facts and opinions. I have none of that sort of self-love which winces at it; indeed, both self-love and the desire to do what is best, strongly invite unreserved communication. There is one subject which will not admit a delay till I see you. Mr. T. M. Randolph is, I believe, determined to retire from Congress, and it is strongly his wish, and that of all here, that you should take his place. Never did the calls of patriotism more loudly assail you than at this moment. After excepting the federalists, who will be twenty-seven, and the little band of schismatics, who will be three or four (all tongue), the residue of the House of Representatives is as well disposed a body of men as I ever saw collected. But there is no one whose talents and standing, taken together, have weight enough to give him the lead. The consequence is, that there is no one who will undertake to do the public business, and it remains undone. Were you here, the whole would rally round you in an instant, and willingly co-operate in whatever is for the public good. Nor would it require you to undertake drudgery in the

House. There are enough, able and willing, to do that. A rallying point is all that is wanting. Let me beseech you then to offer yourself. You never will have it so much in your power again to render such eminent service.

Accept my affectionate salutations and high esteem.

TO ALBERT GALLATIN.

March 7, 1807.

In the case of Mr. Bloodworth, our first duty is to save the public from loss; the second, to aid the securities in saving themselves. They have not asked a dismission, which would probably do them injury, but an examination. I should think it equally safe for the public, and better for the securities, to send them a dismission of the collector, to be used or not at their discretion. With this in their hand, they could compel him to convey his property as a security to them, and to receive deputies of their appointment, who should apply all the future emoluments of the collector, or a given part of them, towards making up the deficit. But in such case, faithful reports should be made to you from time to time, that you may see that this operation is honestly going on, and no new danger arising to the public. These ideas are submitted merely for your consideration, as I am ready to sign a dismission as above proposed, or make a

new appointment at once, whichever you think best. Affectionate salutations.

TO ROBERT BRENT, ESQ.

WASHINGTON, March 10, 1807.

SIR,—I have received your letter of yesterday, asking the application of a part of a late appropriation of Congress, to certain avenues and roads in this place.

The only appropriation ever before made by Congress to an object of this nature, was "to the public buildings and the highways *between* them." This ground was deliberately taken, and I accordingly restrained the application of the money to the avenue between the Capitol and the Executive buildings, and the roads round the two squares.

The last appropriation was in terms much more lax, to wit, "for avenues and roads in the District of Columbia." This, indeed, would take in a large field, but besides that we cannot suppose Congress intended to tax the people of the United States at large, for all the avenues in Washington and roads in Columbia; we know the fact to have been that the expression was strongly objected to, and was saved merely from a want of time to discuss, (the last day of the session,) and the fear of losing the whole bill. But the sum appropriated (three thousand dollars) shows they did not mean it for so large a field; for by the time the Pennsylvania avenue, between

the two houses, is widened, newly gravelled, planted, brick tunnels instead of wood, the roads round the squares put in order, and that in the south front of the war office dug down to its proper level, there will be no more of the three thousand dollars left than will be wanting for constant repairs. With this view of the just and probable intention of the Legislature, I shall not think myself authorized to take advantage of a lax expression, forced on by circumstances, to carry the execution of the law into a region of expense which would merit great consideration before they should embark in it. Accept my friendly salutations, and assurances of great esteem and respect.

TO ALBERT GALLATIN.

March 20, 1807.

I think with you it is better to leave the leasing the Salt Springs to Governor Harrison, who will do it according to general rules; and I am averse to giving contracts of any kind to members of the Legislature. On the subject of Latimer's letter, I gave him a general answer, that all indulgence permitted by the spirit of the law would be used. I am unable to give any particular opinion, because the law not having been printed yet, I cannot turn to it; but I am ready to approve any proposition you think best. Indeed, I have but a little moment in the morning in which I can either read, write,

or think; being obliged to be shut up in a dark room from early in the forenoon till night, with a periodical headache. Affectionate salutations.

TO THE GOVERNORS OF KENTUCKY, TENNESSEE, OHIO, AND MISSISSIPPI.

WASHINGTON, March 21, 1807.

SIR,—Although the present state of things on the western side of the Mississippi does not threaten any immediate collision with our neighbors in that quarter, and it is our wish they should remain undisturbed until an amicable adjustment may take place; yet as this does not depend on ourselves alone, it has been thought prudent to be prepared to meet any movements which may occur. The law of a former session of Congress, for keeping a body of 100,000 militia in readiness for service at a moment's warning, is still in force. But by an act of the last session, a copy of which I now enclose, the Executive is authorized to accept the services of such volunteers as shall offer themselves on the conditions of the act, which may render a resort to the former act unnecessary. It is for the execution of this act that I am now to solicit your zealous endeavors. The persons who shall engage will not be called from their homes until some aggression, committed or intended, shall render it necessary. When called into action, it will not be for a lounging, but for an active, and perhaps distant, service. I

know the effect of this consideration in kindling that ardor which prevails for this service, and I count on it for filling up the numbers requisite without delay. To yourself, I am sure, it must be as desirable as it is to me, to transfer this service from the great mass of our militia to that portion of them, to whose habits and enterprise active and distant service is most congenial. In using, therefore, your best exertions towards accomplishing the object of this act, you will render to your constituents, as well as to the nation, a most acceptable service.

With respect to the organizing and officering those who shall be engaged within your State, the act itself will be your guide; and as it is desirable that we should be kept informed of the progress in this business, I must pray you to report the same from time to time to the Secretary at War, who will correspond with you on all the details arising out of it.

I salute you with great consideration and respect.

TO JAMES MONROE.

WASHINGTON, March 21, 1807.

DEAR SIR,—A copy of the treaty with Great Britain came to Mr. Erskine's hands on the last day of the session of Congress, which he immediately communicated to us; and since that Mr. Purviance has arrived with an original. On the subject of it

you will receive a letter from the Secretary of State, of about this date, and one more in detail hereafter. I should not have written, but that I perceive uncommon efforts, and with uncommon wickedness, are making by the federal papers to produce mischief between myself, personally, and our negotiators; and also to irritate the British government, by putting a thousand speeches into my mouth, not one word of which I ever uttered. I have, therefore, thought it safe to guard you, by stating the view which we have given out on the subject of the treaty, in conversation and otherwise; for ours, as you know, is a government which will not tolerate the being kept entirely in the dark, and especially on a subject so interesting as this treaty. We immediately stated in conversation, to the members of the Legislature and others, that having, by a letter received in January, perceived that our ministers might sign a treaty not providing satisfactorily against the impressment of our seamen, we had, on the 3d of February, informed you, that should such an one have been forwarded, it could not be ratified, and recommending, therefore, that you should resume negotiations for inserting an article to that effect; that we should hold the treaty in suspense until we could learn from you the result of our instructions, which probably would not be till summer, and then decide on the question of calling the Senate. We observed, too, that a written declaration of the British commissioners,

given in at the time of signature, would of itself, unless withdrawn, prevent the acceptance of any treaty, because its effect was to leave us bound by the treaty, and themselves totally unbound. This is the statement we have given out, and nothing more of the contents of the treaty has ever been made known. But depend on it, my dear Sir, that it will be considered as a hard treaty when it is known. The British commissioners appear to have screwed every article as far as it would bear, to have taken everything, and yielded nothing. Take out the eleventh article, and the evil of all the others so much overweighs the good, that we should be glad to expunge the whole. And even the eleventh article admits only that we may enjoy our right to the indirect colonial trade, *during the present hostilities*. If peace is made this year, and war resumed the next, the benefit of this stipulation is gone, and yet we are bound for ten years, to pass no non-importation or non-intercourse laws, nor take any other measures to restrain the unjust pretensions and practices of the British. But on this you will hear from the Secretary of State. If the treaty cannot be put into acceptable form, then the next best thing is to back out of the negotiation as well as we can, letting that die away insensibly; but, in the meantime, agreeing informally, that both parties shall act on the principles of the treaty, so as to preserve that friendly understanding which we sincerely desire, until the one or the other

may be disposed to yield the points which divide us. This will leave you to follow your desire of coming home, as soon as you see that the amendment of the treaty is desperate. The power of continuing the negotiations will pass over to Mr. Pinckney, who, by procrastinations, can let it die away, and give us time, the most precious of all things to us. The government of New Orleans is still without such a head as I wish. The salary of five thousand dollars is too small; but I am assured the Orleans legislature would make it adequate, would you accept it. It is the second office in the United States in importance, and I am still in hopes you will accept it. It is impossible to let you stay at home while the public has so much need of talents. I am writing under a severe indisposition of periodical headache, without scarcely command enough of my mind to know what I write. As a part of this letter concerns Mr. Pinckney as well as yourself, be so good as to communicate so much of it to him; and with my best respects to him, to Mrs. Monroe and your daughter, be assured yourself, in all cases, of my constant and affectionate friendship and attachment.

TO ROBERT R. LIVINGSTON, ESQ.

WASHINGTON, March 24, 1807.

DEAR SIR,—The two receipts of Poncin's have come safely to hand. The account had been

settled without difficulty. The federal papers appear desirous of making mischief between us and England, by putting speeches into my mouth which I never uttered. Perceiving, by a letter received in January, that our commissioners were making up their mind to sign a treaty which contained no provision against impressment, we immediately instructed them not to do so; and if done, to consider the treaty as not accepted, and to resume their negotiations to supply an article against impressment. We therefore hold the treaty in suspense, until we hear what is done in consequence of our last instructions. Probably we shall not hear till midsummer, and we reserve till that time the question of calling the Senate. In the meantime, to show the continuance of a friendly spirit, we continue the suspension of the non-importation act by proclamation. Another cause for not accepting the treaty was a written declaration by the British commissioner, at the time of signing, reserving a right, if we did not oppose the French decree to their satisfaction, to retaliate in their own way, however it might affect the treaty; so that, in fact, we were to be bound, and they left free. I think, upon the whole, the Emperor cannot be dissatisfied at the present state of things between us and England, and that he must rather be satisfied at our unhesitating rejection of a proposition to make common cause against him, for such in amount it was. Burr has indeed made a most inglorious exhibition of his

much over-rated talents. He is now on his way to Richmond for trial. Accept my friendly salutations, and assurances of constant esteem and respect.

TO ———.

WASHINGTON, March 25, 1807.

DEAR SIR,— * * * * * * *

Burr is on his way to Richmond for trial. No man's history proves better the value of honesty. With that, what might he not have been! I expect you are at a loss to understand the situation of the British treaty, on which the newspapers make so many speeches for me which I never made. It is exactly this. By a letter received from our negotiators in January, we found they were making up their minds to sign a treaty containing no provision against the impressment of our seamen. We instantly (February 3d) instructed them not to do so; and that if such a treaty had been forwarded, it could not be ratified; that therefore they must immediately resume the negotiations to supply that defect, as a *sine qua non*. Such a treaty having come to hand, we of course suspend it, until we know the result of the instructions of February 3d, which probably will not be till midsummer. We reserve ourselves till then to decide the question of calling the Senate. In the meantime, I have, by proclamation, continued the suspension of the non-

importation law, as a proof of the continuance of friendly dispositions. There was another circumstance which would have prevented the acceptance of the treaty. The British commissioners, at the time of signing, gave in a written declaration, that until they knew what we meant to do in the subject of the French decree, the king reserved to himself the right of not ratifying, and of taking any measures retaliating on France which he should deem proper, notwithstanding the treaty. This made the treaty binding on us; while he was loose to regard it or not, and clearly squinted at the expectation that we should join in resistance to France, or they would not regard the treaty. We rejected this idea unhesitatingly.

I expected to have paid a short visit to Monticello before this, but have been detained by the illness of my son-in-law, Mr. Randolph, and now by an attack of periodical headache on myself. This leaves me but an hour and a half each morning capable of any business at all. A part of this I have devoted to write you this letter, and to assure you of my constant friendship and respect.

TO COLONEL G. MORGAN.

WASHINGTON, March 26, 1807.

SIR,—Your favors of January 19th and 20th came to hand in due time, but it was not in my power to acknowledge their receipt during the session of

Congress. General Gage's paper I have filed with that on Pensacola, in the War Office, and Mr. Hutchins' map, in the Navy Office, where they will be useful. I tender you my thanks for this contribution to the public service. The bed of the Mississippi and the shoals on the coast change so frequently, as to require frequent renewals of the surveys. Congress have authorized a new survey of our whole coast, by an act of the last session. Burr is on his way to Richmond for trial; and if the judges do not discharge him before it is possible to collect the testimony from Maine to New Orleans, there can be no doubt where his history will end. To what degree punishments of his adherents shall be extended, will be decided when we shall have collected all the evidence, and seen who were cordially guilty. The federalists appear to make Burr's cause their own, and to spare no efforts to screen his adherents. Their great mortification is at the failure of his plans. Had a little success dawned on him, their openly joining him might have produced some danger. As it is, I believe the undertaking will not be without some good effects, as a wholesome lesson to those who have more ardor than principle. I believe there is reason to expect that Blennerhasset will also be sent by the judges of Mississippi to Virginia. Yours was the very first intimation I had of this plot, for which it is but justice to say you have deserved well of your country. Accept my friendly salutations, and assurances of great esteem and respect.

TO TENCH COXE.

WASHINGTON, March 27, 1807.

SIR,—I received on the 24th of January a communication, which from an endorsement in your hand, I knew to have come from you. Others had been received at different periods before, which candor obliges me frankly to say, had not been answered because some of the earliest of them had been of a character with which I thought it my duty to be dissatisfied. Observing, however, that you have continued to turn your attention assiduously to the public interests, and to communicate to the government your ideas, which have often been useful, I expunge from my mind the umbrage which had been taken, and wish it no more to be recollected or explained on either side.

Your idea of providing as many arms as we have fighting men, is undoubtedly a sound one. Its execution, however, depends on the Legislature. Composed, indeed, of gentlemen of the best intentions, but like all others collected in mass, requiring considerable time to receive impressions, however useful, if new. Time and reflection will not fail in the end to bring them to whatever is right. The session before the last I proposed to them the classification of the militia, so that those in the prime of life only, and unburdened with families, should ever be called into distant service; and that every man should receive a stand of arms the first year he

entered the militia. This would have required 40,000 stands a year, and in a few years would have armed the whole, besides the stock in the public arsenals, which is a good one. Converts to the measure are daily coming over, and it will prevail in time. The same thing will happen as to the employing the surplus of our revenues to roads, rivers, canals, education. The proposition for building lock-docks for the preservation of our navy, has local rivalries to contend against. Till these can be overruled or compromised, the measure can never be adopted. Yet there ought never to be another ship built until we can provide some method of preserving them through the long intervals of peace which I hope are to be the lot of our country. I understand that, employing private as well as the public manufactories, we can make about 40,000 stand of arms a year. But they come so much dearer than the imported of equal quality, that we shall import also. From the beginning of my administration, I have discouraged the laying in stores of powder, but have recommended great stores of sulphur and saltpetre. I confess, however, I do not apprehend that the dislike which I know the European governments have to our form, will combine them in any serious attempts against it. They have too many jealousies of one another, to engage in distant wars for a matter of opinion only. I verily believe that it will ever be in our power to keep so even a stand between England and France,

as to inspire a wish in neither to throw us into the scale of his adversary. But if we can do this for a dozen years only, we shall have little to fear from them. Accept my salutations, and assurances of esteem and respect.

TO LEVETT HARRIS, ESQ.

WASHINGTON, March 28, 1807.

SIR,—Your letters of August 10th and September 18th have been duly received, and I have to thank you for the safe transmission of the four volumes of the "Vocabulaires Comparés de Pallas," for which I am indebted, through you, to the Minister of Commerce, Count Romanzoff. I must pray you, in a particular manner, to express to his Excellency my sensibility for this mark of his obliging attention, rendered the more impressive from a high esteem for his personal character, and from the hope that an interchange of personal esteem may contribute to strengthen the friendship of the two nations, bound together by many similar interests. To this I must add by anticipation my thanks for his work on the Commerce of Russia, as well as to Count Potoski, for the two works from him, which you mention to have been sent by Mr. A. Smith, and which, I doubt not, will come safely to hand. Accept for yourself my salutations, and assurances of esteem and respect.

TO ALBERT GALLATIN.

March 29, 1807.

A doubt is entertained whether the Acts of Congress respecting claims to lands in Orleans and Louisiana, and authorizing the commissioners "to decide according to the laws and established usages and customs of the French and Spanish governments, *upon all claims to lands within their respective districts*," etc., meant to give that power as to *all claims*, or to restrict it to those claims only which had been previously recognized by Congress.

Were it necessary for us to decide that question, I should be of opinion that it meant *all claims*, because the words are general. "*All claims to lands within their respective districts*," and there are no other words restricting them to those claims only, previously recognized by Congress; and because the intention of the Act was to quiet and satisfy all the minor claimants, and reserve only the great and fraudulent speculations for rigorous examination.

But the Board of Commissioners, being a judiciary tribunal, I should think it proper to leave them to the law itself, as their instructions, on the meaning of which they are competent to decide, and, being on the spot, are better informed of the nature of those claims than we are. Affectionate salutations.

TO GENERAL HENRY DEARBORN.

March 29, 1807.

Many officers of the army being involved in the offence of intending a military enterprise against a nation at peace with the United States, to remove the whole without trial, by the paramount authority of the executive, would be a proceeding of unusual severity. Some line must therefore be drawn to separate the more from the less guilty. The only sound one which occurs to me is between those who believed the enterprise was with the approbation of the government, open or secret, and those who meant to proceed in defiance of the government. Concealment would be no line at all, because all concealed it. Applying the line of *defiance* to the case of Lieutenant Meade, it does not appear by any testimony I have seen, that he meant to proceed in defiance of the government, but, on the contrary, that he was made to believe the government approved of the expedition. If it be objected that he concealed a part of what had taken place in his communications to the Secretary at War, yet if a concealment of the whole would not furnish a proper line of distinction, still less would the concealment of a part. This too would be a removal for *prevarication*, not for *unauthorized enterprise*, and could not be a proper ground for exercising the extraordinary power of removal by the President. On the whole, I think Lieutenant Meade's

is not a case for its exercise. Affectionate salutations.

TO ROBERT PATTERSON.

WASHINGTON, March 29, 1807.

DEAR SIR,—I have duly received your letter of the 25th, proposing the appointment of an assistant engraver to the Mint, at a salary of $600, and that Mr. Reich should be the assistant. You are so exclusively competent to decide on the want of such an officer, that I approve the proposition in the faith of your opinion. With respect to the person to be appointed, my knowledge of the superior talents of Mr. Reich concurs with your recommendation in the propriety of appointing him.

I should approve of your employing the Mint on small silver coins, rather than on dollars and gold coins, as far as the consent of those who employ it can be obtained. It would be much more valuable to the public to be supplied with abundance of dimes and half dimes, which would stay among us, than with dollars and eagles which leave us immediately. Indeed I wish the law authorized the making two cent and three cent pieces of silver, and golden dollars, which would all be large enough to handle, and would be a great convenience to our own citizens. Accept my affectionate salutations.

TO MONSIEUR LE COMTE DIODATI.

WASHINGTON, March 29, 1807.

MY DEAR AND ANCIENT FRIEND,—Your letter of August the 29th reached me on the 18th of February. It enclosed a duplicate of that written from Brunswick five years before, but which I never received, or had notice of, but by this duplicate. Be assured, my friend, that I was incapable of such negligence towards you, as a failure to answer it would have implied. It would illy have accorded with those sentiments of friendship I entertained for you at Paris, and which neither time nor distance has lessened. I often pass in review the many happy hours I spent with Madame Diodati and yourself on the banks of the Seine, as well as at Paris, and I count them among the most pleasing I enjoyed in France. Those were indeed days of tranquillity and happiness. They had begun to cloud a little before I left you; but I had no apprehension that the tempest, of which I saw the beginning, was to spread over such an extent of space and time. I have often thought of you with anxiety, and wished to know how you weathered the storm, and into what port you had retired. The letters now received give me the first information, and I sincerely felicitate you on your safe and quiet retreat. Were I in Europe, *pax et panis* would certainly be my motto. Wars and contentions, indeed, fill the pages of history with more matter. But more blest is that

nation whose silent course of happiness furnishes nothing for history to say. This is what I ambition for my own country, and what it has fortunately enjoyed for now upwards of twenty years, while Europe has been in constant volcanic eruption. I again, my friend, repeat my joy that you have escaped the overwhelming torrent of its lava.

At the end of my present term, of which two years are yet to come, I propose to retire from public life, and to close my days on my patrimony of Monticello, in the bosom of my family. I have hitherto enjoyed uniform health; but the weight of public business begins to be too heavy for me, and I long for the enjoyments of rural life, among my books, my farms and my family. Having performed my *quadragena stipendia*, I am entitled to my discharge, and should be sorry, indeed, that others should be sooner sensible than myself when I ought to ask it. I have, therefore, requested my fellow-citizens to think of a successor for me, to whom I shall deliver the public concerns with greater joy than I received them. I have the consolation too of having added nothing to my private fortune, during my public service, and of retiring with hands as clean as they are empty. Pardon me these egotisms, which, if ever excusable, are so when writing to a friend to whom our concerns are not uninteresting. I shall always be glad to hear of your health and happiness, and having been out of the way of hearing of any of our cotem-

poraries of the *corps diplomatique* at Paris, any details of their subsequent history which you will favor me with, will be thankfully received. I pray you to make my friendly respects acceptable to Madame la Comtesse Diodati, to assure M. Tronchin of my continued esteem, and to accept yourself my affectionate salutations, and assurances of constant attachment and respect.

TO JAMES BOWDOIN.

WASHINGTON, April 2, 1807.

DEAR SIR,—I wrote you on the 10th of July last; but neither your letter of October the 20th, nor that of November the 15th mentioning the receipt of it, I fear it has miscarried. I therefore now enclose a duplicate. As that was to go under cover of the Secretary of State's despatches by any vessel going from our distant ports, I retained the polygraph therein mentioned for a safer conveyance. None such has occurred till now, that the United States armed brig the Wasp, on her way to the Mediterranean is to touch at Falmouth, with despatches for our ministers at London and at Brest, with others for yourself and General Armstrong.

You heard in due time from London of the signature of a treaty there between Great Britain and the United States. By a letter we received in January from our ministers at London, we found they were making up their minds to sign a treaty,

in which no provision was made against the impressment of our seamen, contenting themselves with a note received in the course of their correspondence, from the British negotiators, assuring them of the discretion with which impressments should be conducted, which could be construed into a covenant only by inferences, against which its omission in the treaty was a strong inference; and in its terms totally unsatisfactory. By a letter of February the 3d, they were immediately informed that no treaty, not containing a satisfactory article on that head, would be ratified, and desiring them to resume the negotiations on that point. The treaty having come to us actually in the inadmissible shape apprehended, we, of course, hold it up until we know the result of the instructions of February the 3d. I have but little expectation that the British government will retire from their habitual wrongs in the impressment of our seamen, and am certain, that without that, we will never tie up our hands by treaty, from the right of passing a non-importation or non-intercourse act, to make it her interest to become just. This may bring on a war of commercial restrictions. To show, however, the sincerity of our desire for conciliation, I have suspended the non-importation act. This state of things should be understood at Paris, and every effort used on your part to accommodate our differences with Spain, under the auspices of France, with whom it is all important that we should stand in terms of the

strictest cordiality. In fact, we are to depend on her and Russia for the establishment of neutral rights by the treaty of peace, among which should be that of taking no persons by a belligerent out of a neutral ship, unless they be the *soldiers* of an enemy. Never did a nation act towards another with more perfidy and injustice than Spain has constantly practised against us: and if we have kept our hands off of her till now, it has been purely out of respect to France, and from the value we set on the friendship of France. We expect, therefore, from the friendship of the Emperor, that he will either compel Spain to do us justice, or abandon her to us. We ask but one month to be in possession of the City of Mexico.

No better proof of the good faith of the United States could have been given, than the vigor with which we have acted, and the expense incurred, in suppressing the enterprise meditated lately by Burr against Mexico. Although at first, he proposed a separation of the western country, and on that ground received encouragement and aid from Yrujo, according to the usual spirit of his government towards us, yet he very early saw that the fidelity of the western country was not to be shaken, and turned himself wholly towards Mexico. And so popular is an enterprise on that country in this, that we had only to lie still, and he would have had followers enough to have been in the City of Mexico in six weeks. You have doubtless seen my several messages to Congress, which give a faithful narrative

of that conspiracy. Burr himself, after being disarmed by our endeavors of all his followers, escaped from the custody of the court of Mississippi, but was taken near Fort Stoddart, making his way to Mobile, by some country people, who brought him on as a prisoner to Richmond, where he is now under a course for trial. Hitherto we have believed our law to be, that suspicion on probable grounds was sufficient cause to commit a person for trial, allowing time to collect witnesses till the trial. But the judges here have decided, that conclusive evidence of guilt must be ready in the moment of arrest, or they will discharge the malefactor. If this is still insisted on, Burr will be discharged; because his crimes having been sown from Maine, through the whole line of the western waters, to New Orleans, we cannot bring the witnesses here under four months. The fact is, that the federalists make Burr's cause their own, and exert their whole influence to shield him from punishment, as they did the adherents of Miranda. And it is unfortunate that federalism is still predominant in our judiciary department, which is consequently in opposition to the legislative and executive branches, and is able to baffle their measures often.

Accept my friendly salutations, and assurances of great esteem and respect.

TO WILLIAM B. GILES.

MONTICELLO, April 20, 1807.

DEAR SIR,—Your favor of the 6th instant, on the subject of Burr's offences, was received only four days ago. That there should be anxiety and doubt in the public mind, in the present defective state of the proof, is not wonderful; and this has been sedulously encouraged by the tricks of the judges to force trials before it is possible to collect the evidence, dispersed through a line of two thousand miles from Maine to Orleans. The federalists, too, give all their aid, making Burr's cause their own, mortified only that he did not separate the Union or overturn the government, and proving, that had he had a little dawn of success, they would have joined him to introduce his object, their favorite monarchy, as they would any other enemy, foreign or domestic, who could rid them of this hateful republic for any other government in exchange.

The first ground of complaint was the supine inattention of the administration to a treason stalking through the land in open day. The present one, that they have crushed it before it was ripe for execution, so that no overt acts can be produced. This last may be true; though I believe it is not. Our information having been chiefly by way of letter, we do not know of a certainty yet what will be proved. We have set on foot an inquiry through

the whole of the country which has been the scene of these transactions, to be able to prove to the courts, if they will give time, or to the public by way of communication to Congress, what the real facts have been. For obtaining this, we are obliged to appeal to the patriotism of particular persons in different places, of whom we have requested to make the inquiry in their neighborhood, and on such information as shall be voluntarily offered. Aided by no process or facilities from the *federal* courts, but frowned on by their new-born zeal for the liberty of those whom we would not permit to overthrow the liberties of their country, we can expect no revealments from the accomplices of the chief offender. Of treasonable intentions, the judges have been obliged to confess there is probable appearance. What loophole they will find in the case, when it comes to trial, we cannot foresee. Eaton, Stoddart, Wilkinson, and two others whom I must not name, will satisfy the world, if not the judges, of Burr's guilt. And I do suppose the following overt acts will be proved: 1. The enlistment of men, in a regular way. 2. The regular mounting of guard round Blennerhasset's island when they expected Governor Tiffin's men to be on them, *modo guerrino arraiati*. 3. The rendezvous of Burr with his men at the mouth of Cumberland. 4. His letter to the acting Governor of Mississippi, holding up the prospect of civil war. 5. His capitulation regularly signed with the aids of the Gov-

ernor, as between two independent and hostile commanders.

But a moment's calculation will show that this evidence cannot be collected under four months, probably five, from the moment of deciding when and where the trial shall be. I desired Mr. Rodney expressly to inform the Chief Justice of this, inofficially. But Mr. Marshall says, "More than five weeks have elapsed since the opinion of the Supreme Court has declared the necessity of proving the overt acts, if they exist. Why are they not proved?" In what terms of decency can we speak of this? As if an express could go to Natchez, or the mouth of Cumberland, and return in five weeks, to do which has never taken less than twelve. Again, "If, in November or December last, a body of troops had been assembled on the Ohio, it is impossible to suppose the affidavits establishing the fact could not have been obtained by the last of March." But I ask the judge where they should have been lodged? At Frankfort? at Cincinnati? at Nashville? St. Louis? Natchez? New Orleans? These were the probable places of apprehension and examination. It was not known at *Washington* till the 26th of March that Burr would escape from the Western tribunals, be retaken and brought to an Eastern one; and in five days after, (neither five months nor five weeks, as the judge calculated,) he says, it is "impossible to suppose the affidavits could not have been obtained." Where? At Richmond he

certainly meant, or meant only to throw dust in the eyes of his audience. But all the principles of law are to be perverted which would bear on the favorite offenders who endeavor to overturn this odious republic. "I understand," says the judge, "*probable* cause of guilt to be a case made out by *proof* furnishing good reason to believe," etc. Speaking as a lawyer, he must mean legal proof, i. e., proof on oath, at least. But this is confounding *probability* and *proof*. We had always before understood that where there was reasonable ground to believe guilt, the offender must be put on his trial. That guilty intentions were probable, the judge believed. And as to the overt acts, were not the bundle of letters of information in Mr. Rodney's hands, the letters and facts published in the local newspapers, Burr's flight, and the universal belief or rumor of his guilt, probable ground for presuming the facts of enlistment, military guard, rendezvous, threat of civil war, or capitulation, so as to put him on trial? Is there a candid man in the United States who does not believe some one, if not all, of these overt acts to have taken place?

If there ever had been an instance in this or the preceding administrations, of federal judges so applying principles of law as to condemn a federal or acquit a republican offender, I should have judged them in the present case with more charity. All this, however, will work well. The nation will judge both the offender and judges for themselves.

If a member of the executive or legislature does wrong, the day is never far distant when the people will remove him. They will see then and amend the error in our Constitution, which makes any branch independent of the nation. They will see that one of the great co-ordinate branches of the government, setting itself in opposition to the other two, and to the common sense of the nation, proclaims immunity to that class of offenders which endeavors to overturn the Constitution, and are themselves protected in it by the Constitution itself; for impeachment is a farce which will not be tried again. If their protection of Burr produces this amendment, it will do more good than his condemnation would have done. Against Burr, personally, I never had one hostile sentiment. I never indeed thought him an honest, frank-dealing man, but considered him as a crooked gun, or other perverted machine, whose aim or shot you could never be sure of. Still, while he possessed the confidence of the nation, I thought it my duty to respect in him their confidence, and to treat him as if he deserved it; and if his punishment can be commuted now for an useful amendment of the Constitution, I shall rejoice in it. My sheet being full, I perceive it is high time to offer you my friendly salutations, and assure you of my constant and affectionate esteem and respect.

TO THE SECRETARY OF STATE.

(JAMES MADISON.)

MONTICELLO, April 21, 1807.

DEAR SIR,—Yours of the 13th came to hand only yesterday, and I now return you the letters of Turreau and Woodward, and Mr. Gallatin's paper on foreign seamen. I retain Monroe and Pinckney's letters, to give them a more deliberate perusal than I can now before the departure of the post. By the next they shall be returned. I should think it best to answer Turreau at once, as he will ascribe delay to a supposed difficulty, and will be sure to force an answer at last. I take the true principle to be, that "for violations of jurisdiction, with the consent of the sovereign, or his voluntary sufferance, indemnification is due; but that for others he is bound only to use all *reasonable* means to obtain indemnification from the aggressor, which must be calculated on his circumstances, and these endeavors *bona fide* made; and failing, he is no further responsible." It would be extraordinary indeed if we were to be answerable for the conduct of belligerents through our whole coast, whether inhabited or not.

Will you be so good as to send a passport to Julian V. Niemcewicz, an American citizen, of New Jersey, going to Europe on his private affairs? I have known him intimately for twenty years, the last twelve of which he has resided in the United States, of which he has a certificate of citizenship. He was the companion of Kosciusko. Be so good

as to direct it to him at Elizabethtown, and without delay, as he is on his departure. Mr. Gallatin's estimate of the number of foreign seamen in our employ renders it prudent, I think, to suspend all propositions respecting our non-employment of them. As, on a consultation when we were all together, we had made up our minds on every article of the British treaty, and this of not employing their seamen was only mentioned for further inquiry and consideration, we had better let the negotiations go on, on the ground then agreed on, and take time to consider this supplementary proposition. Such an addition as this to a treaty already so bad would fill up the measure of public condemnation. It would indeed be making bad worse. I am more and more convinced that our best course is, to let the negotiation take a friendly nap, and endeavor in the meantime to practice on such of its principles as are mutually acceptable. Perhaps we may hereafter barter the stipulation not to employ their seamen for some equivalent to our flag, by way of convention; or perhaps the general treaty of peace may do better for us, if we shall not, in the meantime, have done worse for ourselves. At any rate, it will not be the worse for lying three weeks longer. I salute you with sincere affection.

P. S. Will you be so good as to have me furnished with a copy of Mr. Gallatin's estimate of the number of foreign seamen? I think he overrates the number of officers greatly.

TO ALBERT GALLATIN.

MONTICELLO, April 21, 1807.

Some very unusual delay has happened to the post, as I received yesterday only my letter from Philadelphia, as far back as April 9th, and Washington, April 11th. Of course yours of the 13th and 16th were then only received, and being overwhelmed with such an accumulated mail, I must be short, as the post goes out in a few hours. I return you Huston's, Findlay's, and Governor Harrison's letters. J. Smith's is retained because it is full of nominations. I had received, a week ago, from a member of the Pennsylvania legislature, a copy of their act for the Western road. I immediately wrote to Mr. Moore that we should consider the question whether the road should pass through Uniontown, as now decided affirmatively, and I referred to the commissioner to reconsider the question whether it should also pass through Brownsville, and to decide it according to their own judgment. I desired him to undertake the superintendence of the execution, to begin the work in time to lay out the whole appropriation this summer, and to employ it in making effectually good the most difficult parts. I approve of Governor Harrison's lease to Taylor, and of the conveying the salt water by pipes to the fuel and navigation, rather than the fuel and navigation to the Saline. I think it our indispensable duty to remove imme-

diately all intruders from the lands, the timber of which will be wanting for the Salines, and will sign any order you will be so good as to prepare for that purpose. You are hereby authorized to announce to the collector of Savannah, his removal, if you judge it for the public good. I recollect nothing of Bullock, the attorney, and not having my papers here, I am not able to refresh my memory concerning him. I expect to leave this, on my return to Washington, about three weeks hence. Your estimate of the number of foreign seamen in our employ, renders it prudent, in my opinion, to drop the idea of any proposition not to employ them. As we had made up our minds on every article of the British treaty, when consulting together, and this idea was only an afterthought referred for enquiry and consideration, we had better take more time for it. Time strengthens my belief that no equal treaty will be obtained from such a higgler as Lord Auckland, or from the present ministry, Fox being no longer with them, and that we shall be better without any treaty than an unequal one. Perhaps we may engage them to act on certain articles, including their note on impressment, by a mutual understanding, under the pretext of further time to arrange a general treaty. Perhaps, too, the general peace will, in the meantime, establish for us better principles than we can obtain ourselves.

I enclose a letter from Gideon Fitz. Affectionate salutes.

TO JULIAN NIEMCEWICZ.

MONTICELLO, April 22, 1807.

DEAR SIR,—I received on the 20th your favor of the 10th instant, and yesterday I wrote to desire the Secretary of State to forward your passport to Elizabethtown. In the visit you propose to make to your native country, I sincerely wish you may find its situation, and your own interests in it, satisfactory. On what it has been, is, or shall be, however, I shall say nothing. I consider Europe, at present, as a world apart from us, about which it is improper for us even to form opinions, or to indulge any wishes but the general one, that whatever is to take place in it, may be for its happiness. For yourself, however, personally, I may express with safety as well as truth, my great esteem and the interest I feel for your welfare. From the same principles of caution, I do not write to my friend Kosciusko. I know he is always doing what he thinks is right, and he knows my prayers are for his success in whatever he does. Assure him, if you please, of my constant affection, and accept yourself my wishes for a safe and pleasant voyage, with my friendly salutations, and assurances of great esteem and respect.

TO JAMES MADISON.

MONTICELLO, April 25, 1807.

DEAR SIR,—Yours of the 20th came to hand on the 23d, and I now return all the papers it covered, to wit, Harris's, Maunce's, and General Smith's letters, as also some papers respecting Burr's case, for circulation. Under another cover is a letter from Governor Williams, confidential, and for yourself alone, as yet. I expect we shall have to remove Meade. Under still a different cover you will receive Monroe's and Pinckney's letters, detained at the last post. I wrote you then on the subject of the British treaty, which the more it is developed the worse it appears. Mr. Rodney being supposed absent, I enclose you a letter from Mr. Reed, advising the summoning Rufus Easton as a witness; but if he is at St. Louis, he cannot be here by the 22d of May. You will observe that Governor Williams asks immediate instructions what he shall do with Blennerhasset, Tyler, Floyd, and Ralston. I do not know that we can do anything but direct General Wilkinson to receive and send them to any place where the judge shall decide they ought to be tried. I suppose Blennerhasset should come to Richmond. On consulting with the other gentlemen, be so good as to write to Williams immediately, as a letter will barely get there by the fourth Monday of May. I enclose you a warrant for five thousand dollars for Mr. Rodney, in the form advised by Mr. Gallatin.

We have had three great rains within the last thirteen days. It is just now clearing off after thirty-six hours of rain, with little intermission. Yet it is thought not too much. I salute you with sincere affection.

TO THOMAS MOORE.

MONTICELLO, May 1, 1807.

SIR,—On the 14th of April I wrote to you, on the presumption that a law respecting the western road had passed the Legislature of Pennsylvania, in the form enclosed by Mr. Dorsey, and which I enclosed to you. I have now received from the Governor an authentic copy of the law, which agrees with that I forwarded to you. You will therefore be pleased to consider the contents of that letter as founded in the certainty of the fact that the law did pass in that form, although not certainly known at that time, and proceed on it accordingly. I shall be in Washington on the 16th and 17th inst., should you have occasion for further communication with me. I salute you with esteem and respect.

TO JAMES MADISON.

MONTICELLO, May 1, 1807.

DEAR SIR,—I return you Monroe's, Armstrong's, Harris's, and Anderson's letters, and add a letter and act from Governor McKean, to be filed in your

office. The proposition for separating the western country, mentioned by Armstrong to have been made at Paris, is important. But what is the declaration he speaks of? for none accompanies his letter, unless he means Harry Grant's proposition. I wish our Ministers at Paris, London, and Madrid, could find out Burr's propositions and agents there. I know few of the characters of the new British administration. The few I know are true Pittites, and anti-American. From them we have nothing to hope, but that they will readily let us back out. Whether they can hold their places will depend on the question whether the Irish propositions be popular or unpopular in England. Dr. Sibley, in a letter to General Dearborn, corrects an error of fact in my message to Congress of December. He says the Spaniards never had a single soldier at Bayou Pierre till after 1805. Consequently it was not a keeping, but a taking of a military possession of that post. I think General Dearborn would do well to desire Sibley to send us affidavits of that fact.

Our weather continues extremely seasonable, and favorable for vegetation. I salute you with sincere affection.

P. S. The pamphlet and papers shall be returned by next post.

TO OLIVER EVANS.

MONTICELLO, May 2, 1807.

SIR,—Your favor of the 18th came to hand two days ago. That the ingenuity of an advocate, seeking for something to defend his client, should have hazarded as an objection that it did not appear on the face of the patent itself, that you had complied with the requisitions of the act authorizing a patent for your invention, is not wonderful; but I do not expect that such an objection can seriously embarrass the good sense of a judge. The law requires, indeed, that certain acts shall be performed by the inventor to authorize a monopoly of his invention, and, to secure their being done, it has called in, and relied on, the agency of the Secretary of State, the Attorney General, and President. When they are satisfied the acts have been done, they are to execute a patent, granting to the inventor the monopoly. But the law does not require that the patent itself should bear the evidence that they should have been performed, any more than it requires that in a judgment should be stated all the evidence on which it is founded. The evidence of the acts on which the patent is founded, rests with those whose duty it is to see that they are performed; in fact, it is in the Secretary of State's office, where the interloper or inventor may have recourse to it if wanting. If these high officers have really failed to see that the acts were performed, or to preserve evidence of it, they

have broken their trust to the public, and are responsible to the public; but their negligence cannot invalidate the inventor's right, who has been guilty of no fault. On the contrary, the patent, which is a record, has conveyed a right to him from the public, and that it was issued rightfully ought to be believed on the signature of these high officers affixed to the patent,—this being a solemn pledge on their part that the acts had been performed. Would their assertion of the fact, in the patent itself, pledge them more to the public? I do not think, then, that the disinterested judgment of a court can find difficulty in this objection. At any rate your right will be presumed valid, until they decide that it is not. Their final decision alone can authorize your resort to any remedial authority,—that is to say, to the Legislature, who alone can provide a remedy. Certainly an inventor ought to be allowed a right to the benefit of his invention for some certain time. It is equally certain it ought not to be perpetual; for to embarrass society with monopolies for every utensil existing, and in all the details of life, would be more injurious to them than had the supposed inventors never existed; because the natural understanding of its members would have suggested the same things or others as good. How long the term should be is the difficult question. Our legislators have copied the English estimate of the term, perhaps without sufficiently considering how much longer, in a country so much more

sparsely settled, it takes for an invention to become known, and used to an extent profitable to the inventor. Nobody wishes more than I do that ingenuity should receive a liberal encouragement: nobody estimates higher the utility which society has derived from that displayed by yourself; and I assure you with truth, that I shall always be ready to manifest it by every service I can render you. To this assurance I add that of my great respect and esteem, and my friendly salutations.

TO JAMES MADISON.

MONTICELLO, May 5, 1807.

I return you the pamphlet of the author of War in Disguise. Of its first half, the topics and the treatment of them are very commonplace; but from page 118 to 130 it is most interesting to all nations, and especially to us. Convinced that a militia of all ages promiscuously are entirely useless for distant service, and that we never shall be safe until we have a selected corps for a year's distant service at least, the classification of our militia is now the most essential thing the United States have to do. Whether, on Bonaparte's plan of making a class for every year between certain periods, or that recommended in my message, I do not know, but I rather incline to his. The idea is not new, as, you may remember, we adopted it once in Virginia during the revolution, but abandoned it too soon.

It is the real secret of Bonaparte's success. Could H. Smith put better matter into his paper than the twelve pages above mentioned, and will you suggest it to him? No effort should be spared to bring the public mind to this great point. I salute you with sincere affection.

TO THE HONORABLE JOHN SMITH.

MONTICELLO, May 7, 1807.

DEAR SIR,—Your two letters of March 27th and April 6th have been received. Writing from this place, where I have not my papers to turn to, I cannot even say whether I have received such as you ask copies of. But I am sorry to answer any request of yours by saying that a compliance would be a breach of trust. It is essential for the public interest that I should receive all the information possible respecting either matters or persons connected with the public. To induce people to give this information, they must feel assured that when deposited with me it is secret and sacred. Honest men might justifiably withhold information, if they expected the communication would be made public, and commit them to war with their neighbors and friends. This imposes the duty on me of considering such information as mere suggestions for inquiry, and to put me on my guard; and to injure no man by forming any opinion until the suggestion be verified. Long experience in this school has by no

means strengthened the disposition to believe too easily. On the contrary, it has begotten an incredulity which leaves no one's character in danger from any hasty conclusion. I hope these considerations will satisfy you, both as they respect you and myself, and that you will be assured I shall always be better pleased with those cases which admit that compliance with your wishes which is always pleasing to me. Accept my salutations, and assurances of great esteem and respect.

TO JAMES MADISON.

MONTICELLO, May 8, 1807.

I return you Monroe's letter of March 5th. As the explosion in the British ministry took place about the 15th, I hope we shall be spared the additional embarrassment of his convention. I enclose you a letter of Michael Jones for circulation, and to rest with the Attorney General. It contains new instances of Burr's enlistments. I received this from Mr. Gallatin, so you can hand it to General Dearborn direct.

I expect to leave this on the 13th, but there is a possible occurrence which may prevent it till the 19th, which however is not probable. Accept affectionate salutations.

TO GEORGE HAY.

WASHINGTON, May 20, 1807.

DEAR SIR,—Dr. Bollman, on his arrival here in custody in January, voluntarily offered to make communications to me, which he accordingly did, Mr. Madison also being present. I previously and subsequently assured him, (without, however, his having requested it,) that they should never be used *against himself*. Mr. Madison on the same evening committed to writing, by memory, what he had said; and I moreover asked of Bollman to do it himself, which he did, and I now enclose it to you. The object is, as he is to be a witness, that you may know how to examine him, and draw everything from him. I wish the paper to be seen and known only to yourself and the gentlemen who aid you, and to be returned to me. If he should prevaricate, I should be willing you should go so far as to ask him whether he did not say so and so to Mr. Madison and myself. In order to let him see that his prevarications will be marked, Mr. Madison will forward you a pardon for him, which we mean should be delivered previously. It is suspected by some he does not intend to appear. If he does not, I hope you will take effectual measures to have him immediately taken into custody. Some other blank pardons are sent on to be filled up at your discretion, if you should find a defect of evidence, and believe that this would supply it, by avoiding to give them to

the gross offenders, unless it be visible that the principal will otherwise escape. I send you an affidavit of importance received last night. If General Wilkinson gets on in time, I expect he will bring Dunbaugh on with him. At any rate it may be a ground for an arrest and commitment for treason. Accept my friendly salutations, and assurances of great esteem and respect.

TO G. C. DE LA COSTE.

WASHINGTON, May 24, 1807.

SIR,—I received, in due time, your favor of April 10th, enclosing a scheme and subscription for the establishment of a museum of natural history, at Williamsburg, by private contributions. Nobody can desire more ardently than myself, to concur in whatever may promote useful science, and I view no science with more partiality than natural history. But I have ever believed that in this, as in most other cases, abortive attempts retard rather than promote this object. To be really useful we must keep pace with the state of society, and not dishearten it by attempts at what its population, means, or occupations will fail in attempting. In the particular enterprises for museums, we have seen the populous and wealthy cities of Boston and New York unable to found or maintain such an institution. The feeble condition of that in each of these places sufficiently proves this. In Philadelphia alone,

has this attempt succeeded to a good degree? It has been owing there to a measure of zeal and perseverance in an individual rarely equalled; to a population, crowded, wealthy, and more than usually addicted to the pursuit of knowledge. And, with all this, the institution does not maintain itself. The proprietor has been obliged to return to the practice of his original profession to help it on. I know, indeed, that there are many individuals in Williamsburg, and its vicinity, who have already attained a high degree of science, and many zealously pursuing it. But after viewing all circumstances there as favorably as the most sanguine of us could wish, I cannot find in them a rational ground for expecting success in an undertaking to which the other positions have been found unequal. I sincerely wish I may be mistaken, and that the success which your zeal I am sure will merit, may be equal to your wishes, as well as ours. But, for the present, I would rather reserve myself till its prospects can be more favorably estimated; because the aid we would be disposed to give to a promising enterprise, would be very different to one we might offer to a desperate one. Although less sanguine on this particular subject, I do entire justice to the zeal for the promotion of science, which has excited your effort, and shall see it with uncommon pleasure surmounting the present difficulties, or engaged in other pursuits which may reward it with better success. Be assured that no one is more sincere in

wishing it, and accept my salutations, and assurances of great respect and consideration.

TO DE WITT CLINTON.

WASHINGTON, May 24, 1807.

Th. Jefferson presents his compliments to Mr. Clinton, and his thanks for the pamphlet sent him. He recollects the having read it at the time with a due sense of his obligation to the author, whose name was surmised, though not absolutely known, and a conviction that he had made the most of his matter. The ground of defence might have been solidly aided by the assurance (which is the absolute fact) that the whole story fathered on Mazzei, was an unfounded falsehood. Dr. Linn, as aware of that, takes care to quote it from a dead man, who is made to quote from one residing in the remotest part of Europe. Equally false was Dr. Linn's other story about Bishop Madison's lawn sleeves, as the Bishop can testify, for certainly Th. J. never saw him in lawn sleeves. Had the Doctor ventured to name time, place, and person, for his third lie, (the government without religion,) it is probable he might have been convicted on that also. But these are slander and slanderers, whom Th. Jefferson has thought it best to leave to the scourge of public opinion. He salutes Mr. Clinton with esteem and respect.

TO GEORGE HAY.

WASHINGTON, May 26, 1807.

DEAR SIR,—We are this moment informed by a person who left Richmond since the 22d, that the prosecution of Burr had begun under very inauspicious symptoms by the challenging and rejecting two members of the grand jury, as far above all exception as any two persons in the United States. I suppose our informant is inaccurate in his terms, and has mistaken an objection by the criminal and voluntary retirement of the gentlemen with the permission of the court, for a challenge and rejection, which, in the case of a grand jury, is impossible. Be this as it may, and the result before the formal tribunal, fair or false, it becomes our duty to provide that full testimony shall be laid before the Legislature, and through them the public. For this purpose, it is necessary that we be furnished with the testimony of every person who shall be with you as a witness. If the grand jury find a bill, the evidence given in court, taken as verbatim as possible, will be what we desire. If there be no bill, and consequently no examination before court, then I must beseech you to have every man privately examined by way of affidavit, and to furnish me with the whole testimony. In the former case, the person taking down the testimony as orally delivered in court, should make oath that he believes it to be substantially correct. In the latter case, the

certificate of the magistrate administering the oath, and signature of the party, will be proper; and this should be done before they receive their compensation, that they may not evade examination. Go into any expense necessary for this purpose, and meet it from the funds provided by the Attorney General for the other expenses. He is not here, or this request would have gone from him directly. I salute you with friendship and respect.

TO GEORGE HAY.

WASHINGTON, May 28, 1807.

DEAR SIR,—I have this moment received your letter of the 25th, and hasten to answer it. If the grand jury do not find a bill against Burr, as there will be no examination before a petty jury, Bollman's pardon need not in that case to be delivered; but if a bill be found, and a trial had, his evidence is deemed entirely essential, and in that case his pardon is to be produced before he goes to the book. In my letter of the day before yesterday, I enclosed you Bollman's written communication to me, and observed you might go so far, if he prevaricated, as to ask him whether he did not say so and so to Mr. Madison and myself. On further reflection I think you may go farther, if he prevaricates grossly, and show the paper to him, and ask if it is not his handwriting, and confront him by its contents. I enclose you some other letters of Bollman to me on former

occasions, to prove by similitude of hand that the paper I enclosed on the 26th was of his handwriting. I salute you with esteem and respect.

TO COLONEL JAMES MONROE.

WASHINGTON, May 29, 1807.

DEAR SIR,—I have not written to you by Mr. Purviance, because he can give you *viva voce* all the details of our affairs here, with a minuteness beyond the bounds of a letter, and because, indeed, I am not certain this letter will find you in England. The sole object in writing it, is to add another little commission to the one I had formerly troubled you with. It is to procure for me "a machine for ascertaining the resistance of ploughs or carriages, invented and sold by Winlaw, in Margaret street, Cavendish Square." It will cost, I believe, four or five guineas, which shall be replaced here instanter on your arrival. I had intended to have written you to counteract the wicked efforts which the federal papers are making to sow tares between you and me, as if I were lending a hand to measures unfriendly to any views which our country might entertain respecting you. But I have not done it, because I have before assured you that a sense of duty, as well as of delicacy, would prevent me from ever expressing a sentiment on the subject, and that I think you know me well enough to be assured I shall conscientiously observe the line of conduct I

profess. I shall receive you on your return with the warm affection I have ever entertained for you, and be gratified if I can in any way avail the public of your services. God bless you and yours.

TO M. SILVESTRE, SECRETAIRE DE LA SOCIETÉ D'AGRICULTURE DE PARIS.

WASHINGTON, May 29, 1807.

SIR,—I have received, through the care of General Armstrong, the medal of gold by which the society of agriculture at Paris have been pleased to mark their approbation of the form of a mould-board which I had proposed; also the four first volumes of their memoirs, and the information that they had honored me with the title of foreign associate to their society. I receive with great thankfulness these testimonies of their favor, and should be happy to merit them by greater services. Attached to agriculture by inclination, as well as by a conviction that it is the most useful of the occupations of man, my course of life has not permitted me to add to its theories the lessons of practice. I fear, therefore, I shall be to them but an unprofitable member, and shall have little to offer of myself worthy their acceptance. Should the labors of others, however, on this side the water, produce anything which may advance the objects of their institution, I shall with great pleasure become the instrument of its communication, and shall, more-

over, execute with zeal any orders of the society in this portion of the globe. I pray you to express to them my sensibility for the distinctions they have been pleased to confer on me, and to accept yourself the assurances of my high consideration and respect.

TO GEORGE HAY.

WASHINGTON, June 2, 1807.

DEAR SIR,—While Burr's case is depending before the court, I will trouble you, from time to time, with what occurs to me. I observe that the case of Marbury *v.* Madison has been cited, and I think it material to stop at the threshold the citing that case as authority, and to have it denied to be law. 1. Because the judges, in the outset, disclaimed all cognizance of the case, although they then went on to say what would have been their opinion, had they had cognizance of it. This, then, was confessedly an extrajudicial opinion, and, as such, of no authority. 2. Because, had it been judicially pronounced, it would have been against law; for to a commission, a deed, a bond, *delivery* is essential to give validity. Until, therefore, the commission is delivered out of the hands of the executive and his agents, it is not his deed. He may withhold or cancel it at pleasure, as he might his private deed in the same situation. The Constitution intended that the three great branches of the government should be co-ordinate, and independent of each other. As to acts, there-

fore, which are to be done by either, it has given no control to another branch. A judge, I presume, cannot sit on a bench without a commission, or a record of a commission; and the Constitution having given to the judiciary branch no means of compelling the executive either to *deliver* a commission, or to make a record of it, shows it did not intend to give the judiciary that control over the executive, but that it should remain in the power of the latter to do it or not. Where different branches have to act in their respective lines, finally and without appeal, under any law, they may give to it different and opposite constructions. Thus, in the case of William Smith, the House of Representatives determined he was a citizen; and in the case of William Duane, (precisely the same in every material circumstance,) the judges determined he was no citizen. In the cases of Callendar and others, the judges determined the sedition act was valid under the Constitution, and exercised their regular powers of sentencing them to fine and imprisonment. But the executive determined that the sedition act was a nullity under the Constitution, and exercised his regular power of prohibiting the execution of the sentence, or rather of executing the real law, which protected the acts of the defendants. From these different constructions of the same act by different branches, less mischief arises than from giving to any one of them a control over the others. The executive and Senate act on the construction, that

until delivery from the executive department, a commission is in their possession, and within their rightful power; and in cases of commissions not revocable at will, where, after the Senate's approbation and the President's signing and sealing, new information of the unfitness of the person has come to hand before the *delivery* of the commission, new nominations have been made and approved, and new commissions have issued.

On this construction I have hitherto acted; on this I shall ever act, and maintain it with the powers of the government, against any control which may be attempted by the judges, in subversion of the independence of the executive and Senate within their peculiar department. I presume, therefore, that in a case where our decision is by the Constitution the supreme one, and that which can be carried into effect, it is the constitutionally authoritative one, and that that by the judges was *coram non judice*, and unauthoritative, because it cannot be carried into effect. I have long wished for a proper occasion to have the gratuitous opinion in Marbury *v.* Madison brought before the public, and denounced as not law; and I think the present a fortunate one, because it occupies such a place in the public attention. I should be glad, therefore, if, in noticing that case, you could take occasion to express the determination of the executive, that the doctrines of that case were given extrajudicially and against law, and that their reverse will be the rule of action

with the executive. If this opinion should not be your own, I would wish it to be expressed merely as that of the executive. If it is your own also, you would of course give to the arguments such a development as a case, incidental only, might render proper. I salute you with friendship and respect.

TO ALBERT GALLATIN.

June 3, 1807.

I gave you, some time ago, a project of a more equal tariff on wines than that which now exists. But in that I yielded considerably to the faulty classification of them in our law. I have now formed one with attention, and according to the best information I possess, classing them more rigorously. I am persuaded that were the duty on cheap wines put on the same ratio with the dear, it would wonderfully enlarge the field of those who use wine, to the expulsion of whiskey. The introduction of a very cheap wine (St. George) into my neighborhood, within two years past, has quadrupled in that time the number of those who keep wine, and will ere long increase them tenfold. This would be a great gain to the treasury, and to the sobriety of our country. I will here add my tariff (*see opposite page*,) wherein you will be able to choose any rate of duty you please, and to decide whether it will not, on a fit occasion, be proper for legislative attention. Affectionate salutations.

	Cost per gallon.	15 pr. cent.	20 pr. cent.	25 pr. cent., being the average of present duties.	30 pr. cent.	35 pr. cent.				
								Present duty.		*Per cent.*
Tokay, Cape, Malmesey, Hock	$4 00	$0 60	$0 80	$1 00	$1 20	$1 40	Tokay,	45 cents,	which is	11¼
							Malmesey,	58 "	"	14½
							Hock,	35 "	"	25
Champagne, Burgundy, Claret,[1] Hermitage ..	2 75	41¼	55	68¾	82½	96¼	Champagne, Burgundy,	45 "	"	16½
							Claret, Hermitage,	35 "	"	12½
London particular Maderia	2 20	33	44	55	66	77		58 "	"	26½
All other Madeira	1 80	27	36	45	54	63		50 "	"	27½
Pacharetti, Sherry	1 50	22½	30	37½	45	52½	Pacharetti,	23 "	"	15
							Sherry,	40 "	"	26½
[2] The wines of Medoc and Grave not before mentioned, those of Palus, Coterotie, Condrieu, Moselle	1 25	18¾	25	31¼	37½	43¾		35 "	"	28
St. Lucar and all of Portugal	80	12	16	20	24	28	St. Lucar,	40 "	"	50
							Other Spanish,	23 "	"	28¾
Sicily, Teneriffe, Fayal, Malaga, St. George and other western islands	67	10	13	16¾	20	23	Sicily,	23 "	"	34
							Teneriffe, etc.,	28 "	"	41
All other wines							in bottles,	35	often 400 per cent.	
							in casks,	23		

[1] The term Claret should be abolished, because unknown in the country where it is made, and because indefinite here. The four crops should be enumerated here instead of Claret, and all other wines to which that appellation has been applied, should fall into the ad valorem class. The four crops are Lafitte, Latour and Margaux, in Medoc, and Hautbrion, in Grave.

[2] Blanquefort, Calon, Leoville, Cantenac, etc., are wines of Medoc. Barsac, Sauterne, Beaume, Preignac, St. Bris, Carbonien, Langon, Podensac, etc., are of Grave. All these are of the second order, being next after the four crops.

TO GEORGE HAY.

WASHINGTON, June 5, 1807.

DEAR SIR,—Your favor of the 31st instant has been received, and I think it will be fortunate if any circumstance should produce a discharge of the present scanty grand jury, and a future summons of a fuller; though the same views of protecting the offender may again reduce the number to sixteen, in order to lessen the chance of getting twelve to concur. It is understood, that wherever Burr met with subjects who did not choose to embark in his projects, unless approved by their government, he asserted that he had that approbation. Most of them took his word for it, but it is said that with those who would not, the following stratagem was practised. A forged letter, purporting to be from General Dearborn, was made to express his approbation, and to say that I was absent at Monticello, but that there was no doubt that, on my return, my approbation of his enterprises would be given. This letter was spread open on his table, so as to invite the eye of whoever entered his room, and he contrived occasions of sending up into his room those whom he wished to become witnesses of his acting under sanction. By this means he avoided committing himself to any liability to prosecution for forgery, and gave another proof of being a great man in little things, while he is really small in great ones. I must add General Dearborn's declaration,

that he never wrote a letter to Burr in his life, except that when here, once in a winter, he usually wrote him a billet of invitation to dine. The only object of sending you the enclosed letters is to possess you of the fact, that you may know how to pursue it, if any of your witnesses should know anything of it. My intention in writing to you several times, has been to convey facts or observations occurring in the absence of the Attorney General, and not to make to the dreadful drudgery you are going through, the unnecessary addition of writing me letters in answer, which I beg you to relieve yourself from, except when some necessity calls for it. I salute you with friendship and respect.

TO ISAAC WEAVER, JR.

WASHINGTON, June 7, 1807.

SIR,—Your favor of March 30th never reached my hands till May 16th. The friendly views it expresses of my conduct in general give me great satisfaction. For these testimonies of the approbation of my fellow citizens, I know that I am indebted more to their indulgent dispositions than to any peculiar claims of my own. For it can give no great claims to any one to manage honestly and disinterestedly the concerns of others trusted to him. Abundant examples of this are always under our eye. That I should lay down my charge at a proper season, is as much a duty as to have borne it faithfully.

Being very sensible of bodily decays from advancing years, I ought not to doubt their effect on the mental faculties. To do so would evince either great self-love or little observation of what passes under our eyes; and I shall be fortunate if I am the first to perceive and to obey this admonition of nature. That there are in our country a great number of characters entirely equal to the management of its affairs, cannot be doubted. Many of them, indeed, have not had opportunities of making themselves known to their fellow citizens; but many have had, and the only difficulty will be to choose among them. These changes are necessary, too, for the security of republican government. If some period be not fixed, either by the Constitution or by practice, to the services of the First Magistrate, his office, though nominally elective, will, in fact, be for life; and that will soon degenerate into an inheritance. Among the felicities which have attended my administration, I am most thankful for having been able to procure coadjutors so able, so disinterested, and so harmonious. Scarcely ever has a difference of opinion appeared among us which has not, by candid consultation, been amalgamated into something which all approved; and never one which in the slightest degree affected our personal attachments. The proof we have lately seen of the innate strength of our government, is one of the most remarkable which history has recorded, and shows that we are a people capable of self-government, and worthy

of it. The moment that a proclamation apprised our citizens that there were traitors among them, and what was their object, they rose upon them wherever they lurked, and crushed by their own strength what would have produced the march of armies and civil war in any other country. The government which can wield the arm of the people must be the strongest possible. I thank you for the interest you are so kind as to express in my health and welfare, and return you the same good wishes with my salutations, and assurance of respect.

TO DOCTOR HORATIO TURPIN.

WASHINGTON, June 10, 1807.

DEAR SIR,—Your favor of June the 1st has been received. To a mind like yours, capable in any question of abstracting it from its relation to yourself, I may safely hazard explanations, which I have generally avoided to others on questions of appointment. Bringing into office no desires of making it subservient to the advancement of my own private interests, it has been no sacrifice, by postponing them, to strengthen the confidence of my fellow-citizens. But I have not felt equal indifference towards excluding merit from office, merely because it was related to me. However, I have thought it my duty so to do, that my constituents may be satisfied, that, in selecting persons for the management of their affairs, I am influenced by neither

personal nor family interests, and especially, that the field of public office will not be perverted by me into a family property. On this subject, I had the benefit of useful lessons from my predecessors, had I needed them, marking what was to be imitated and what avoided. But in truth, the nature of our government is lesson enough. Its energy depending mainly on the confidence of the people in the chief magistrate, makes it his duty to spare nothing which can strengthen him with that confidence.

* * * * * * * * *

Accept assurances of my constant friendship and respect.

TO JOHN NORVELL.

WASHINGTON, June 11, 1807.

SIR,—Your letter of May the 9th has been duly received. The subject it proposes would require time and space for even moderate development. My occupations limit me to a very short notice of them. I think there does not exist a good elementary work on the organization of society into civil government: I mean a work which presents in one full and comprehensive view the system of principles on which such an organization should be founded, according to the rights of nature. For want of a single work of that character, I should recommend Locke on Government, Sidney, Priestley's Essay on the First Principles of Government,

Chipman's Principles of Government, and the Federalist. Adding, perhaps, Beccaria on crimes and punishments, because of the demonstrative manner in which he has treated that branch of the subject. If your views of political inquiry go further, to the subjects of money and commerce, Smith's Wealth of Nations is the best book to be read, unless Say's Political Economy can be had, which treats the same subjects on the same principles, but in a shorter compass and more lucid manner. But I believe this work has not been translated into our language.

History, in general, only informs us what bad government is. But as we have employed some of the best materials of the British constitution in the construction of our own government, a knowledge of British history becomes useful to the American politician. There is, however, no general history of that country which can be recommended. The elegant one of Hume seems intended to disguise and discredit the good principles of the government, and is so plausible and pleasing in its style and manner, as to instil its errors and heresies insensibly into the minds of unwary readers. Baxter has performed a good operation on it. He has taken the text of Hume as his ground work, abridging it by the omission of some details of little interest, and wherever he has found him endeavoring to mislead, by either the suppression of a truth or by giving it a false coloring, he has changed the text

to what it should be, so that we may properly call it Hume's history republicanised. He has moreover continued the history (but indifferently) from where Hume left it, to the year 1800. The work is not popular in England, because it is republican; and but a few copies have ever reached America. It is a single quarto volume. Adding to this Ludlow's Memoirs, Mrs. M'Cauley's and Belknap's histories, a sufficient view will be presented of the free principles of the English constitution.

To your request of my opinion of the manner in which a newspaper should be conducted, so as to be most useful, I should answer, "by restraining it to true facts and sound principles only." Yet I fear such a paper would find few subscribers. It is a melancholy truth, that a suppression of the press could not more completely deprive the nation of its benefits, than is done by its abandoned prostitution to falsehood. Nothing can now be believed which is seen in a newspaper. Truth itself becomes suspicious by being put into that polluted vehicle. The real extent of this state of misinformation is known only to those who are in situations to confront facts within their knowledge with the lies of the day. I really look with commiseration over the great body of my fellow citizens, who, reading newspapers, live and die in the belief, that they have known something of what has been passing in the world in their time; whereas the accounts they have read in newspapers are just as true a history

of any other period of the world as of the present, except that the real names of the day are affixed to their fables. General facts may indeed be collected from them, such as that Europe is now at war, that Bonaparte has been a successful warrior, that he has subjected a great portion of Europe to his will, etc., etc.; but no details can be relied on. I will add, that the man who never looks into a newspaper is better informed than he who reads them; inasmuch as he who knows nothing is nearer to truth than he whose mind is filled with falsehoods and errors. He who reads nothing will still learn the great facts, and the details are all false.

Perhaps an editor might begin a reformation in some such way as this. Divide his paper into four chapters, heading the 1st, Truths. 2d, Probabilities. 3d, Possibilities. 4th, Lies. The first chapter would be very short, as it would contain little more than authentic papers, and information from such sources, as the editor would be willing to risk his own reputation for their truth. The second would contain what, from a mature consideration of all circumstances, his judgment should conclude to be probably true. This, however, should rather contain too little than too much. The third and fourth should be professedly for those readers who would rather have lies for their money than the blank paper they would occupy.

Such an editor too, would have to set his face against the demoralizing practice of feeding the

public mind habitually on slander, and the depravity of taste which this nauseous aliment induces. Defamation is becoming a necessary of life; insomuch, that a dish of tea in the morning or evening cannot be digested without this stimulant. Even those who do not believe these abominations, still read them with complaisance to their auditors, and instead of the abhorrence and indignation which should fill a virtuous mind, betray a secret pleasure in the possibility that some may believe them, though they do not themselves. It seems to escape them, that it is not he who prints, but he who pays for printing a slander, who is its real author.

These thoughts on the subjects of your letter are hazarded at your request. Repeated instances of the publication of what has not been intended for the public eye, and the malignity with which political enemies torture every sentence from me into meanings imagined by their own wickedness only, justify my expressing a solicitude, that this hasty communication may in nowise be permitted to find its way into the public papers. Not fearing these political bull-dogs, I yet avoid putting myself in the way of being baited by them, and do not wish to volunteer away that portion of tranquillity, which a firm execution of my duties will permit me to enjoy.

I tender you my salutations, and best wishes for your success.

TO WILLIAM SHORT.

WASHINGTON, June 12, 1807.

DEAR SIR,— * * * * * * *

The proposition in your letter of May the 16th, of adding an umpire to our discordant negotiators at Paris, struck me favorably on reading it, and reflection afterwards strengthened my first impressions. I made it therefore a subject of consultation with my coadjutors, as is our usage. For our government, although in theory subject to be directed by the unadvised will of the President, is, and from its origin has been, a very different thing in practice. The minor business in each department is done by the Head of the department, on consultation with the President alone. But all matters of importance or difficulty are submitted to all the Heads of departments composing the cabinet; sometimes by the President's consulting them separately and successively, as they happen to call on him; but in the greatest cases, by calling them together, discussing the subject maturely, and finally taking the vote, in which the President counts himself but as one. So that in all important cases the executive is, in fact, a directory, which certainly the President might control; but of this there was never an example, either in the first or the present administration. I have heard, indeed, that my predecessor sometimes decided things against his council. * * * * I adopted in the present case the mode of separate

consultation. The opinion of each member, taken separately, was that the addition of a third negotiator was not at this time advisable. For the present therefore, the question must rest. Mr. Bowdoin, we know, is anxious to come home, and is detained only by the delicacy of not deserting his post. In the existing temper between him and his colleague, it would certainly be better that one of them should make an opening for re-composing the commission more harmoniously.

I salute you with affection and respect.

TO GEORGE HAY.

WASHINGTON, June 12, 1807.

DEAR SIR,—Your letter of the 9th is this moment received. Reserving the necessary right of the President of the United States to decide, independently of all other authority, what papers, coming to him as President, the public interests permit to be communicated, and to whom, I assure you of my readiness under that restriction, voluntarily to furnish on all occasions, whatever the purposes of justice may require. But the letter of General Wilkinson, of October the 21st, requested for the defence of Colonel Burr, with every other paper relating to the charges against him, which were in my possession when the Attorney General went on to Richmond in March, I then delivered to him; and I have always taken for granted he left the whole with you. If he

did, and the bundle retains the order in which I had arranged it, you will readily find the letter desired, under the date of its receipt, which was November the 25th; but lest the Attorney General should not have left those papers with you, I this day write to him to forward this one by post. An uncertainty whether he is at Philadelphia, Wilmington, or New Castle, may produce delay in his receiving my letter, of which it is proper you should be apprised. But, as I do not recollect the whole contents of that letter, I must beg leave to devolve on you the exercise of that discretion which it would be my right and duty to exercise, by withholding the communication of any parts of the letter, which are not directly material for the purposes of justice.

With this application, which is specific, a prompt compliance is practicable. But when the request goes to "copies of the orders issued in relation to Colonel Burr, to the officers at Orleans, Natchez, etc., by the Secretaries of the War and Navy Departments," it seems to cover a correspondence of many months, with such a variety of officers, civil and military, all over the United States, as would amount to the laying open the whole executive books. I have desired the Secretary at War to examine his official communications; and on a view of these, we may be able to judge what can and ought to be done, towards a compliance with the request. If the defendant alleges that there was any particular order, which, as a cause, produced any particular act on his part,

then he must know what this order was, can specify it, and a prompt answer can be given. If the *object* had been specified, we might then have some guide for our conjectures, as to what part of the executive records might be useful to him; but, with a perfect willingness to do what is right, we are without the indications which may enable us to do it. If the researches of the Secretary at War should produce anything proper for communication, and pertinent to any point we can conceive in the defence before the court, it shall be forwarded to you.

I salute you with respect and esteem.

TO GEORGE HAY.

WASHINGTON, June 17, 1807.

SIR,—In answering your letter of the 9th, which desired a communication of one to me from General Wilkinson, specified by its date, I informed you in mine of the 12th that I had delivered it, with all other papers respecting the charges against Aaron Burr, to the Attorney General, when he went to Richmond; that I had supposed he had left them in your possession, but would immediately write to him, if he had not, to forward that particular letter without delay. I wrote to him accordingly on the same day, but having no answer, I know not whether he has forwarded the letter. I stated in the same letter, that I had desired the Secretary at War to examine his office, in order to comply with your

further request, to furnish copies of the orders which had been given respecting Aaron Burr and his property; and in a subsequent letter of the same day, I forwarded to you copies of two letters from the Secretary at War, which appeared to be within the description expressed in your letter. The order from the Secretary of the Navy, you said, you were in possession of. The receipt of these papers had, I presume, so far anticipated, and others this day forwarded will have substantially fulfilled the object of a subpœna from the District Court of Richmond, requiring that those officers and myself should attend the Court in Richmond, with the letter of General Wilkinson, the answer to that letter, and the orders of the Departments of War and the Navy, therein generally described. No answer to General Wilkinson's letter, other than a mere acknowledgment of its receipt, in a letter written for a different purpose, was ever written by myself or any other. To these communications of papers, I will add, that if the defendant supposes there are any facts within the knowledge of the Heads of departments, or of myself, which can be useful for his defence, from a desire of doing anything our situation will permit in furtherance of justice, we shall be ready to give him the benefit of it, by way of deposition, through any persons whom the Court shall authorize to take our testimony at this place. I know, indeed, that this cannot be done but by consent of parties; and I therefore authorize you to give consent on the part

of the United States. Mr. Burr's consent will be given of course, if he supposes the testimony useful.

As to our personal attendance at Richmond, I am persuaded the Court is sensible, that paramount duties to the nation at large control the obligation of compliance with their summons in this case; as they would, should we receive a similar one, to attend the trials of Blennerhasset and others, in the Mississippi territory, those instituted at St. Louis and other places on the western waters, or at any place, other than the seat of government. To comply with such calls would leave the nation without an executive branch, whose agency, nevertheless, is understood to be so constantly necessary, that it is the sole branch which the constitution requires to be always in function. It could not then mean that it should be withdrawn from its station by any co-ordinate authority.

With respect to papers, there is certainly a public and a private side to our offices. To the former belong grants of land, patents for inventions, certain commissions, proclamations, and other papers patent in their nature. To the other belong mere executive proceedings. All nations have found it necessary, that for the advantageous conduct of their affairs, some of these proceedings, at least, should remain known to their executive functionary only. He, of course, from the nature of the case, must be the sole judge of which of them the public interests will permit publication. Hence, under our Constitution, in

requests of papers, from the legislative to the executive branch, an exception is carefully expressed, as to those which he may deem the public welfare may require not to be disclosed; as you will see in the enclosed resolution of the House of Representatives, which produced the message of January 22d, respecting this case. The respect mutually due between the constituted authorities, in their official intercourse, as well as sincere dispositions to do for every one what is just, will always insure from the executive, in exercising the duty of discrimination confided to him, the same candor and integrity to which the nation has in like manner trusted in the disposal of its judiciary authorities. Considering you as the organ for communicating these sentiments to the Court, I address them to you for that purpose, and salute you with esteem and respect.

TO GEORGE HAY.

WASHINGTON, June 19, 1807.

DEAR SIR,—Yours of the 17th was received last night. Three blank pardons had been (as I expect) made up and forwarded by the mail of yesterday, and I have desired three others to go by that of this evening. You ask what is to be done if Bollman finally rejects his pardon, and the Judge decides it to have no effect? Move to commit him immediately for treason or misdemeanor, as you think the evidence will support; let the Court decide where he shall

be sent for trial; and on application, I will have the marshal aided in his transportation, with the executive means. And we think it proper, further, that when Burr shall have been convicted of either treason or misdemeanor, you should immediately have committed all those persons against whom you should find evidence sufficient, whose agency has been so prominent as to mark them as proper objects of punishment, and especially where their boldness has betrayed an inveteracy of criminal disposition. As to obscure offenders and repenting ones, let them lie for consideration.

I enclose you the copy of a letter received last night, and giving singular information. I have inquired into the character of Graybell. He was an old revolutionary captain, is now a flour merchant in Baltimore, of the most respectable character, and whose word would be taken as implicitly as any man's for whatever he affirms. The letter writer, also, is a man of entire respectability. I am well informed, that for more than a twelvemonth it has been believed in Baltimore, generally, that Burr was engaged in some criminal enterprise, and that Luther Martin knew all about it. We think you should immediately despatch a subpœna for Graybell; and while that is on the road, you will have time to consider in what form you will use his testimony; *e. g.*, shall Luther Martin be summoned as a witness against Burr, and Graybell held ready to confront him? It may be doubted whether we could

examine a witness to discredit our own witness. Besides, the lawyers say that they are privileged from being forced to breaches of confidence, and that no others are. Shall we move to commit Luther Martin, as *particeps criminis* with Burr? Graybell will fix upon him misprision of treason at least. And at any rate, his evidence will put down this unprincipled and impudent federal bull-dog, and add another proof that the most clamorous defenders of Burr are all his accomplices. It will explain why Luther Martin flew so hastily to the "aid of his honorable friend," abandoning his clients and their property during a session of a principal court in Maryland, now filled, as I am told, with the clamors and ruin of his clients. I believe we shall send on Latrobe as a witness. He will prove that Aaron Burr endeavored to get him to engage several thousand men, chiefly Irish emigrants, whom he had been in the habit of employing in the works he directs, under pretence of a canal opposite Louisville, or of the Washita, in which, had he succeeded, he could with that force alone have carried everything before him, and would not have been where he now is. He knows, too, of certain meetings of Burr, Bollman, Yrujo, and one other whom we have never named yet, but have him not the less in our view.

I salute you with friendship and respect.

P. S. Will you send us half a dozen blank subpœnas?

Since writing the within I have had a conversation with Latrobe. He says it was five hundred men he was desired to engage. The pretexts were, to work on the Ohio canal, and be paid in Washita lands. Your witnesses will some of them prove that Burr had no interest in the Ohio canal, and that consequently this was a mere pretext to cover the real object from the men themselves, and all others. Latrobe will set out in the stage of to-morrow evening, and be with you Monday evening.

TO GOVERNOR JAMES SULLIVAN.

WASHINGTON, June 19, 1807.

DEAR SIR,—In acknowledging the receipt of your favor of the 3d instant, I avail myself of the occasion it offers of tendering to yourself, to Mr. Lincoln and to your State, my sincere congratulations on the late happy event of the election of a republican executive to preside over its councils. The harmony it has introduced between the legislative and executive branches, between the people and both of them, and between all and the General Government, are so many steps towards securing that union of action and effort in all its parts, without which no nation can be happy or safe. The just respect with which all the States have ever looked to Massachusetts, could leave none of them without anxiety, while she was in a state of alienation from her family and friends. Your opinion of the propriety and advantage of a more

intimate correspondence between the executives of the several States, and that of the Union, as a central point, is precisely that which I have ever entertained; and on coming into office I felt the advantages which would result from that harmony. I had it even in contemplation, after the annual recommendation to Congress of those measures called for by the times, which the Constitution had placed under their power, to make communications in like manner to the executives of the States, as to any parts of them to which the legislatures might be alone competent. For many are the exercises of power reserved to the States, wherein an uniformity of proceeding would be advantageous to all. Such are quarantines, health laws, regulations of the press, banking institutions, training militia, etc., etc. But you know what was the state of the several governments when I came into office. That a great proportion of them were federal, and would have been delighted with such opportunities of proclaiming their contempt, and of opposing republican men and measures. Opportunities so furnished and used by some of the State Governments, would have produced an ill effect, and would have insured the failure of the object of uniform proceeding. If it could be ventured even now (Connecticut and Delaware being still hostile) it must be on some greater occasion than is likely to arise within my time. I look to it, therefore, as a course which will probably be to be left to the consideration of my successor.

I consider, with you, the federalists as completely vanquished, and never more to take the field under their own banners. They will now reserve themselves to profit by the schisms among republicans, and to earn favors from minorities, whom they will enable to triumph over their more numerous antagonists. So long as republican minorities barely accept their votes, no great harm will be done; because it will only place in power one shade of republicanism, instead of another. But when they purchase the votes of the federalists, by giving them a participation of office, trust and power, it is a proof that anti-monarchism is not their strongest passion. I do not think that the republican minority in Pennsylvania has fallen into this heresy, nor that there are in your State materials of which a minority can be made who will fall into it.

With respect to the tour my friends to the north have proposed that I should make in that quarter, I have not made up a final opinion. The course of life which General Washington had run, civil and military, the services he had rendered, and the space he, therefore, occupied in the affections of his fellow citizens, take from his examples the weight of precedent for others, because no others can arrogate to themselves the claims which he had on the public homage. To myself, therefore, it comes as a new question, to be viewed under all the phases it may present. I confess that I am not reconciled to the idea of a chief magistrate parading himself through

the several States, as an object of public gaze, and in quest of an applause which, to be valuable, should be purely voluntary. I had rather acquire silent good-will by a faithful discharge of my duties, than owe expressions of it to my putting myself in the way of receiving them. Were I to make such a tour to Portsmouth or Portland, I must do it to Savannah, perhaps to Orleans and Frankfort. As I have never yet seen the time when the public business would have permitted me to be so long in a situation in which I could not carry it on, so I have no reason to expect that such a time will come while I remain in office. A journey to Boston or Portsmouth, after I shall be a private citizen, would much better harmonize with my feelings, as well as duties; and, founded in curiosity, would give no claims to an extension of it. I should see my friends too, more at our mutual ease, and be left more exclusively to their society. However, I end as I began, by declaring I have made up no opinion on the subject, and that I reserve it as a question for future consideration and advice.

In the meantime, and at all times, I salute you with great respect and esteem.

TO GEORGE HAY.

WASHINGTON, June 20, 1807.

DEAR SIR,—Mr. Latrobe now comes on as a witness against Burr. His presence here is with great

inconvenience dispensed with, as one hundred and fifty workmen require his constant directions on various public works of pressing importance. I hope you will permit him to come away as soon as possible. How far his testimony will be important as to the prisoner, I know not; but I am desirous that those meetings of Yrujo with Burr and his principal accomplices, should come fully out, and judicially, as they will establish the just complaints we have against his nation.

I did not see till last night the opinion of the Judge on the *subpœna duces tecum* against the President. Considering the question there as *coram non judice*, I did not read his argument with much attention. Yet I saw readily enough, that, as is usual where an opinion is to be supported, right or wrong, he dwells much on smaller objections, and passes over those which are solid. Laying down the position generally, that all persons owe obedience to subpœnas, he admits no exception unless it can be produced in his law books. But if the Constitution enjoins on a particular officer to be always engaged in a particular set of duties imposed on him, does not this supersede the general law, subjecting him to minor duties inconsistent with these? The Constitution enjoins his constant agency in the concerns of six millions of people. Is the law paramount to this, which calls on him on behalf of a single one? Let us apply the Judge's own doctrine to the case of himself and his brethren. The sheriff of Henrico summons him

from the bench, to quell a riot somewhere in his county. The federal judge is, by the general law, a part of the *posse* of the State sheriff. Would the Judge abandon major duties to perform lesser ones? Again; the court of Orleans or Maine commands, by subpœnas, the attendance of all the judges of the Supreme Court. Would they abandon their posts as judges, and the interests of millions committed to them, to serve the purposes of a single individual? The leading principle of our Constitution is the independence of the legislature, executive and judiciary of each other, and none are more jealous of this than the judiciary. But would the executive be independent of the judiciary, if he were subject to the *commands* of the latter, and to imprisonment for disobedience; if the several courts could bandy him from pillar to post, keep him constantly trudging from north to south and east to west, and withdraw him entirely from his constitutional duties? The intention of the Constitution, that each branch should be independent of the others, is further manifested by the means it has furnished to each, to protect itself from enterprises of force attempted on them by the others, and to none has it given more effectual or diversified means than to the executive. Again; because ministers can go into a court in London as witnesses, without interruption to their executive duties, it is inferred that they would go to a court one thousand or one thousand five hundred miles off, and that ours are to be dragged from Maine

to Orleans by every criminal who will swear that their testimony "may be of use to him." The Judge says, "*it is apparent* that the President's duties as chief magistrate do not demand his whole time, and are not unremitting." If he alludes to our annual retirement from the seat of government, during the sickly season, he should be told that such arrangements are made for carrying on the public business, at and between the several stations we take, that it goes on as unremittingly there, as if we were at the seat of government. I pass more hours in public business at Monticello than I do here, every day; and it is much more laborious, because all must be done in writing. Our stations being known, all communications come to them regularly, as to fixed points. It would be very different were we always on the road, or placed in the noisy and crowded taverns where courts are held. Mr. Rodney is expected here every hour, having been kept away by a sick child.

I salute you with friendship and respect.

TO DOCTOR CASPER WISTAR.

WASHINGTON, June 21, 1807.

DEAR SIR,—I have a grandson, the son of Mr. Randolph, now about fifteen years of age, in whose education I take a lively interest. * * * * * * * * * * * I am not a friend to placing young men in populous cities, because they

acquire there habits and partialities which do not contribute to the happiness of their after life. But there are particular branches of science, which are not so advantageously taught anywhere else in the United States as in Philadelphia. The garden at the Woodlands for Botany, Mr. Peale's Museum for Natural History, your Medical school for Anatomy, and the able professors in all of them, give advantages not to be found elsewhere. We propose, therefore, to send him to Philadelphia to attend the schools of Botany, Natural History, Anatomy, and perhaps Surgery; but not of Medicine. And why not of Medicine, you will ask? Being led to the subject, I will avail myself of the occasion to express my opinions on that science, and the extent of my medical creed. But, to finish first with respect to my grandson, I will state the favor I ask of you, and which is the object of this letter.

* * * * * * * * *

This subject dismissed, I may now take up that which it led to, and further tax your patience with unlearned views of medicine; which, as in most cases, are, perhaps, the more confident in proportion as they are less enlightened.

We know, from what we see and feel, that the animal body is in its organs and functions subject to derangement, inducing pain, and tending to its destruction. In this disordered state, we observe nature providing for the re-establishment of order, by exciting some salutary evacuation of the morbific

matter, or by some other operation which escapes our imperfect senses and researches. She brings on a crisis, by stools, vomiting, sweat, urine, expectoration, bleeding, etc., which, for the most part, ends in the restoration of healthy action. Experience has taught us, also, that there are certain substances, by which, applied to the living body, internally or externally, we can at will produce these same evacuations, and thus do, in a short time, what nature would do but slowly, and do effectually, what perhaps she would not have strength to accomplish. Where, then, we have seen a disease, characterized by specific signs or phenomena, and relieved by a certain natural evacuation or process, whenever that disease recurs under the same appearances, we may reasonably count on producing a solution of it, by the use of such substances as we have found produce the same evacuation or movement. Thus, fulness of the stomach we can relieve by emetics; diseases of the bowels, by purgatives; inflammatory cases, by bleeding; intermittents, by the Peruvian bark; syphilis, by mercury; watchfulness, by opium; etc. So far, I bow to the utility of medicine. It goes to the well-defined forms of disease, and happily, to those the most frequent. But the disorders of the animal body, and the symptoms indicating them, are as various as the elements of which the body is composed. The combinations, too, of these symptoms are so infinitely diversified, that many associations of them appear too rarely to establish a definite dis-

ease; and to an unknown disease, there cannot be a known remedy. Here then, the judicious, the moral, the humane physician should stop. Having been so often a witness to the salutary efforts which nature makes to re-establish the disordered functions, he should rather trust to their action, than hazard the interruption of that, and a greater derangement of the system, by conjectural experiments on a machine so complicated and so unknown as the human body, and a subject so sacred as human life. Or, if the appearance of doing something be necessary to keep alive the hope and spirits of the patient, it should be of the most innocent character. One of the most successful physicians I have ever known, has assured me, that he used more bread pills, drops of colored water, and powders of hickory ashes, than of all other medicines put together. It was certainly a pious fraud. But the adventurous physician goes on, and substitutes presumption for knowledge. From the scanty field of what is known, he launches into the boundless region of what is unknown. He establishes for his guide some fanciful theory of corpuscular attraction, of chemical agency, of mechanical powers, of stimuli, of irritability accumulated or exhausted, of depletion by the lancet and repletion by mercury, or some other ingenious dream, which lets him into all nature's secrets at short hand. On the principle which he thus assumes, he forms his table of nosology, arrays his diseases into families, and extends his curative treatment, by analogy, to

all the cases he has thus arbitrarily marshalled together. I have lived myself to see the disciples of Hoffman, Boerhaave, Stahl, Cullen, Brown, succeed one another like the shifting figures of a magic lantern, and their fancies, like the dresses of the annual doll-babies from Paris, becoming, from their novelty, the vogue of the day, and yielding to the next novelty their ephemeral favor. The patient, treated on the fashionable theory, sometimes gets well in spite of the medicine. The medicine, therefore, restored him, and the young doctor receives new courage to proceed in his bold experiments on the lives of his fellow-creatures. I believe we may safely affirm, that the inexperienced and presumptuous band of medical tyros let loose upon the world, destroys more of human life in one year, than all the Robinhoods, Cartouches, and Macheaths do in a century. It is in this part of medicine that I wish to see a reform, an abandonment of hypothesis for sober facts, the first degree of value set on clinical observation, and the lowest of visionary theories. I would wish the young practitioner, especially, to have deeply impressed on his mind, the real limits of his art, and that when the state of his patient gets beyond these, his office is to be a watchful, but quiet spectator of the operations of nature, giving them fair play by a well-regulated regimen, and by all the aid they can derive from the excitement of good spirits and hope in the patient. I have no doubt, that some diseases not yet understood may in time

be transferred to the table of those known. But, were I a physician, I would rather leave the transfer to the slow hand of accident, than hasten it by guilty experiments on those who put their lives into my hands. The only sure foundations of medicine are, an intimate knowledge of the human body, and observation on the effects of medicinal substances on that. The anatomical and clinical schools, therefore, are those in which the young physician should be formed. If he enters with innocence that of the theory of medicine, it is scarcely possible he should come out untainted with error. His mind must be strong indeed, if, rising above juvenile credulity, it can maintain a wise infidelity against the authority of his instructors, and the bewitching delusions of their theories. You see that I estimate justly that portion of instruction which our medical students derive from your labors; and, associating with it one of the chairs which my old and able friend, Doctor Rush, so honorably fills, I consider them as the two fundamental pillars of the edifice. Indeed, I have such an opinion of the talents of the professors in the other branches which constitute the school of medicine with you, as to hope and believe, that it is from this side of the Atlantic, that Europe, which has taught us so many other things, will at length be led into sound principles in this branch of science, the most important of all others, being that to which we commit the care of health and life.

I dare say, that by this time, you are sufficiently

sensible that old heads as well as young, may sometimes be charged with ignorance and presumption. The natural course of the human mind is certainly from credulity to scepticism; and this is perhaps the most favorable apology I can make for venturing so far out of my depth, and to one too, to whom the strong as well as the weak points of this science are so familiar. But having stumbled on the subject in my way, I wished to give a confession of my faith to a friend; and the rather, as I had perhaps, at times, to him as well as others, expressed my scepticism in medicine, without defining its extent or foundation. At any rate, it has permitted me, for a moment, to abstract myself from the dry and dreary waste of politics, into which I have been impressed by the times on which I happened, and to indulge in the rich fields of nature, where alone I should have served as a volunteer, if left to my natural inclinations and partialities.

I salute you at all times with affection and respect.

TO GENERAL JAMES WILKINSON.

WASHINGTON, June 21, 1807.

DEAR SIR,—I received last night yours of the 16th, and sincerely congratulate you on your safe arrival at Richmond, against the impudent surmises and hopes of the band of conspirators, who, because they are as yet permitted to walk abroad, and even to be in the character of witnesses until such a measure of

evidence shall be collected as will place them securely at the bar of justice, attempt to cover their crimes under noise and insolence. You have indeed had a fiery trial at New Orleans, but it was soon apparent that the clamorous were only the criminal, endeavoring to turn the public attention from themselves and their leader upon any other object.

Having delivered to the Attorney General all the papers I possessed, respecting Burr and his accomplices, when he went to Richmond, I could only write to him (without knowing whether he was at Philadelphia, Wilmington, or Delaware) for your letter of October 21st, desired by the court. If you have a copy of it, and choose to give it in, it will, I think, have a good effect; for it was my intention, if I should receive it from Mr. Rodney, not to communicate it without your consent, after I learnt your arrival. Mr. Rodney will certainly either bring or send it within the course of a day or two, and it will be instantly forwarded to Mr. Hay. For the same reason, I cannot send the letter of J. P. D., as you propose, to Mr. Hay. I do not recollect what name these initials indicate, but the paper, whatever it is, must be in the hands of Mr. Rodney. Not so as to your letter to Dayton; for as that could be of no use in the prosecution, and was reserved to be forwarded or not, according to circumstances, I retained it in my own hands, and now return it to you. If you think Dayton's son should be summoned, it can only be done from Richmond. We have no subpœnas

here. Within about a month we shall leave this to place ourselves in healthier stations. Before that I trust you will be liberated from your present attendance. It would have been of great importance to have had you here with the Secretary at War, because I am very anxious to begin such works as will render Plaquemine impregnable, and an insuperable barrier to the passage of any force up or down the river. But the Secretary at War sets out on Wednesday, to meet with some other persons at New York, and determine on the works necessary to be undertaken to put that place *hors d'insulte*, and thence he will have to proceed northwardly, I believe. I must ask you, at your leisure, to state to me in writing what you think will answer our views at Plaquemine, within the limits of expense which we can contemplate, and of which you can form a pretty good idea.

Your enemies have filled the public ear with slanders, and your mind with trouble on that account. The establishment of their guilt will let the world see what they ought to think of their clamors; it will dissipate the doubts of those who doubted for want of knowledge, and will place you on higher ground in the public estimate and public confidence. No one is more sensible than myself of the injustice which has been aimed at you. Accept, I pray you, my salutations, and assurances of respect and esteem.

TO THE SECRETARY OF WAR.

(HENRY DEARBORN.)

June 22, 1807.

I suggest to you the following, as some of the ideas which might be expressed by General Wilkinson, in answering Governor Saludo's letter. The introductory and concluding sentiments will best flow from the General's own feelings of the personal standing between him and Governor Saludo:

"On the transfer of Louisiana by France to the United States, according to its boundaries when possessed by France, the government of the United States considered itself entitled as far west as the Rio Norte; but understanding soon after that Spain, on the contrary, claimed eastwardly to the river Sabine, it has carefully abstained from doing any act in the intermediate country, which might disturb the existing state of things, until these opposing claims should be explained and accommodated amicably. But that the Red river and all its waters belonged to France, that she made several settlements on that river, and held them as a part of Louisiana until she delivered that country to Spain, and that Spain, on the contrary, had never made a single settlement on the river, are circumstances so well known, and so susceptible of proof, that it was not supposed that Spain would seriously contest the facts, or the right established by them. Hence our government took measures for exploring that river, as it did that of the Missouri, by sending Mr. Free-

man to proceed from the mouth upwards, and Lieutenant Pike from the source downwards, merely to acquire its geography, and so far enlarge the boundaries of science. For the day must be very distant when it will be either the interest or the wish of the United States to extend settlements into the interior of that country. Lieutenant Pike's orders were accordingly strictly confined to the waters of the Red river, and, from his known observance of orders, I am persuaded that it must have been, as he himself declares, by missing his way that he got on the waters of the Rio Norte, instead of those of the Red river. That your Excellency should excuse this involuntary error, and indeed misfortune, was expected from the liberality of your character; and the kindnesses you have shown him are an honorable example of those offices of good neighborhood on your part, which it will be so agreeable to us to cultivate. Accept my thanks for them, and be assured they shall on all occasions meet a like return. To the same liberal sentiment Lieutenant Pike must appeal for the restoration of his papers. You must have seen in them no trace of unfriendly views towards your nation, no symptoms of any other design than of extending geographical knowledge; and it is not in the nineteenth century, nor through the agency of your Excellency, that science expects to encounter obstacles. The field of knowledge is the common property of all mankind, and any discoveries we can make in it will be for the benefit of yours and of every other nation, as well as our own."

TO GEORGE HAY.

WASHINGTON, June 23, 1807.

DEAR SIR,—In mine of the 12th I informed you I would write to the Attorney General to send on the letter of General Wilkinson of October 21st, referred to in my message of January 22d. He accordingly sent me a letter of that date, but I immediately saw that it was not the one desired, because it had no relation to the facts stated under that reference. I immediately, by letter, apprised him of this circumstance, and being since returned to this place, he yesterday called on me with the whole of the papers remaining in his possession, and he assured me he had examined carefully the whole of them, and that the one referred to in the message was not among them, nor did he know where it would be found. These papers have been recurred to so often, on so many occasions, and some of them delivered out for particular purposes, that we find several missing, without being able to recollect what has been done with them. Some of them were delivered to the Attorney of this district, to be used on the occasions which arose in the District Court, and a part of them were filed, as is said, in their office. The Attorney General will examine their office to-day, and has written to the District Attorney to know whether he retained any of them. No researches shall be spared to recover this letter, and if recovered, it shall immediately be sent on to you. Compiling the message

from a great mass of papers, and pressed in time, the date of a particular paper may have been mistaken, but we all perfectly remember the one referred to in the message, and that its substance is there correctly stated. General Wilkinson probably has copies of all the letters he wrote me, and having expressed à willingness to furnish the one desired by the Court, the defendant can still have the benefit of it. Or should he not have the particular one on which that passage in the message is founded, I trust that his memory would enable him to affirm that it is substantially correct. I salute you with friendship and respect.

TO GEORGE BLAKE, ESQ.

WASHINGTON, June 24, 1807.

SIR,—I enclose you a petition of John Partridge, which I perceive to have been in your hands before, by a certificate endorsed on it. The petitioner says the term of labor to which he was sentenced expired on the 14th instant; that he is unable to pay the costs of prosecution, and therefore prays to be discharged. But in such cases it is usual to substitute an additional term of confinement equivalent to that portion of the sentence which cannot be complied with. Pardons too for counterfeiting bank paper are yielded with much less facility than others. However, in all cases I have referred these petitions to the judges and prosecuting attorney, who having heard all the cir-

cumstances of the case, are the best judges whether any of them were of such a nature as ought to obtain for the criminal a remission or abridgment of the punishment. I now enclose the papers, and ask the favor of you to take the opinion of the judges on that subject, and to favor me with your own, which will govern me in what I do, and be my voucher for it. I salute you with esteem and respect.

TO GENERAL HENRY DEARBORN.

WASHINGTON, June 25, 1807. 5.30 P. M.

DEAR SIR,—I am sincerely sorry that I am obliged to ask your attendance here without a moment's avoidable delay. The capture of the Chesapeake by a British ship of war renders it necessary to have all our Council together. I do not suppose it will detain you long from rejoining Mrs. Dearborn. The mail is closing. Affectionate salutations.

TO ALBERT GALLATIN.

WASHINGTON, June 25, 1807. 5.30 P. M.

DEAR SIR,—I am sorry to be obliged to hasten your return to this place, and pray that it may be without a moment's avoidable delay. The capture of the Chesapeake by a British ship of war renders it necessary to have all our Council together. The mail is closing. Affectionate salutations.

TO GOVERNOR WILLIAM H. CABELL.

WASHINGTON, June 29, 1807.

SIR,—Your favor by express was safely received on Saturday night, and I am thankful to you for the attention of which it is a proof. Considering the General and State governments as co-operators in the same holy concerns, the interest and happiness of our country, the interchange of mutual aid is among the most pleasing of the exercises of our duty. Captain Gordon, the second in command of the Chesapeake, has arrived here with the details of that affair. Yet as the precaution you took of securing us against the accident of wanting information, was entirely proper, and the expense of the express justly a national one, I have directed him to be paid here, so that he is enabled to refund any money you may have advanced him. Mr. Gallatin and General Dearborn happening to be absent, I have asked their immediate attendance here, and I expect them this day. We shall then determine on the course which the exigency and our constitutional powers call for. Whether the outrage is a proper cause of war, belonging exclusively to Congress, it is our duty not to commit them by doing anything which would be to be retracted. We may, however, exercise the powers entrusted to us for preventing future insults within our harbors, and claim firmly satisfaction for the past. This will leave Congress free to decide whether war is the most efficacious mode of redress in our case, or

whether, having taught so many other useful lessons to Europe, we may not add that of showing them that there are peaceable means of repressing injustice, by making it the interest of the aggressor to do what is just, and abstain from future wrong. It is probable you will hear from us in the course of the week. I salute you with great esteem and respect.

TO ALBERT GALLATIN.

July 4, 1807.

If I understand the claim of the Creeks, it is that they shall have a right of transit across our territories, but especially along our rivers from the Spanish territories to their own, for goods *for their own use*, without paying us a duty. I think they are in the right. This is exactly what we are claiming of Spain, as to this very river, the Mobile. Our doctrine is that different nations inhabiting the same river have all a natural right to an innocent passage along it, just as individuals of the same nation have of a river wholly within the territory of that nation. I do not know whether our revenue law, justly construed, opposes this; but if it does not, we ought to take the case into consideration, and do what is right. It is here that the manner in which this right has been asserted by Captain Isaac, is not agreeable. But can we blame it? and ought not those who are in the wrong to put themselves in the right, without listening to false pride?

Affectionate salutations.

TO THE VICE-PRESIDENT OF THE UNITED STATES.

(GEORGE CLINTON.)

WASHINGTON, July 6, 1807.

DEAR SIR,—I congratulate you on your safe arrival with Miss Clinton at New York, and especially on your escape from British violence. This aggression is of a character so distinct from that on the Chesapeake, and of so aggravated a nature, that I consider it as a very material one to be presented with that to the British Government. I pray you, therefore, to write me a letter, stating the transaction, and in such a form as that it may go to that Government. At the same time, I must request you to instruct Mr. Gelston, from me, to take the affidavits of the Captain of the revenue cutter, and of such other persons as you shall direct, stating the same affair, and to be forwarded, in like manner, to our Minister in London.

You will have seen by the proclamation, the measures adopted. We act on these principles, 1. That the usage of nations requires that we shall give the offender an opportunity of making reparation and avoiding war. 2. That we should give time to our merchants to get in their property and vessels and our seamen now afloat. And 3. That the power of declaring war being with the Legislature, the executive should do nothing, necessarily committing them to decide for war in preference of non-intercourse, which will be preferred by a great many. They will be called in time to receive the answer from Great

Britain, unless new occurrences should render it necessary to call them sooner.

I salute you with friendship and respect.

TO COLONEL WILLIAM TATHAM.

WASHINGTON, July 6, 1807.

SIR,—Your favor of the 1st instant has been received, and I thank you for the communication. Considering the mass of false reports in circulation, and the importance of being truly informed of the proceedings of the British armed vessels in the Chesapeake and its vicinities, I should be very glad, as you are on the spot, provided with a proper vessel and men, if you could continue watching their motions constantly, and giving me information of them. In that case it would be necessary you should journalize everything respecting them which should fall within your observation, and enclose daily to me a copy of the observations of the day, forwarding them to the post-office of Norfolk, by every opportunity occurring. Your allowance should be exactly on the same footing as when you were surveying the coast, and for current expenses you may draw on Mr. Bedinger, Navy Agent, at Norfolk, only accompanying each draught with a letter explaining generally the purpose of it, which is a constant and indispensable rule in all our departments. It will be necessary for me to ask the continuance of this service from you only

until I can ascertain the course these officers mean to pursue.

I salute you with esteem and respect.

TO THE SECRETARY OF WAR.

(HENRY DEARBORN.)

WASHINGTON, July 7, 1807.

DEAR SIR,—I enclose you copies of two letters sent by express from Captain Decatur. By these you will perceive that the British commanders have their foot on the threshold of war. They have begun the blockade of Norfolk; have sounded the passage to the town, which appears practicable for three of their vessels, and menace an attack on the Chesapeake and Cybele. These, with four gun-boats, form the present defence, and there are four more gun-boats in Norfolk nearly ready. The four gun-boats at Hampton are hauled up, and in danger, four in Mopjack bay are on the stocks. Blows may be hourly possible. In this state of things I am sure your own feelings will anticipate the public judgment, that your presence here cannot be dispensed with. There is nobody here who can supply your knowledge of the resources for land co-operation, and the means for bringing them into activity. Still, I would wish you would stay long enough at New York to settle with the V. P. and Colonel Williams, the plan of defence for that place; and I am in hopes you will also see Fulton's experiments tried, and see how far

his means may enter into your plan. But as soon as that is done, should matters remain in their present critical state, I think the public interest and safety would suffer by your absence from us. Indeed, if the present state of things continues, I begin to fear we shall not be justifiable in separating this autumn, and that even an earlier meeting of Congress than we had contemplated, may be requisite. I salute you affectionately.

TO THE MASTERS AND OTHER OFFICERS SAILING TO AND FROM THE PORTS OF NORFOLK AND PORTSMOUTH.

WASHINGTON, July 8, 1807.

The tender of your services for the erection and reparation of Fort Norfolk and works on Craney Island, and for manning the gun-boats and other vessels for the waters of Elizabeth and James rivers, are received with great satisfaction. They are the more important, in proportion as we have much to do in the least time possible. Knowing their peculiar value for manning and managing the gun-boats and other vessels, it is in that direction I am in hopes they will have been applied, and that the necessary aid for erecting or repairing works on the land will have been found in the zeal of other citizens, less qualified to be useful in the employments on the water. I return, for your country, the thanks you so justly deserve.

TO GOVERNOR WILLIAM H. CABELL.

WASHINGTON, July 8, 1807.

SIR,—You will have received from the Secretary at War a letter, requesting that the quota of the State of Virginia of 100,000 militia be immediately organized and put in readiness for service at the shortest warning, but that they be not actually called out until further requisition. The menacing attitudes which the British ships of war have taken in Hampton Road, the actual blockade of Norfolk, and their having sounded the entrance, as if with a view to pass up to the city, render it necessary that we should be as well prepared there as circumstances will permit. The Secretary at War being gone to New York to arrange a plan of defence for that city, it devolves on me to request that, according to the applications you may receive from the officers charged with the protection of the place, and the information which you are more at hand to obtain than we are here, you will order such portions of the militia as you shall think necessary and most convenient to enter immediately on duty, for the defence of the place and protection of the country, at the expense of the United States. We have, moreover, four gunboats hauled up at Hampton, and four others on the stocks in Matthews county, under the care of Commodore Samuel Barron, which we consider as in danger. I must request you also to order such aids of militia, on the application of that officer, as you shall think

adequate to their safety. Any arms which it may be necessary to furnish to the militia for the present objects, if not identically restored to the State, shall be returned in kind or in value by the United States. I have thought I could not more effectually provide for the safety of the places menaced, than by committing it to your hands, as you are nearer the scene of action, have the necessary powers over the militia, can receive information, and give aid so much more promptly than can be done from this place. I will ask communications from time to time of your proceedings under this charge. I salute you with great esteem and respect.

TO CAPTAIN J. SAUNDERS, FORT NELSON.

WASHINGTON, July 8, 1807

SIR,—The Secretary at War having proceeded to New York to make arrangements for the defence of that place, your letter to him of July 4th has been put into my hands. I see with satisfaction the promptitude with which you have proceeded in mounting the guns of your fort, and I will count on your continuing your utmost exertions for putting yourself in the best condition of defence possible. With respect to the instructions you ask for, you will consider the proclamation of July 2d as your general instructions, but especially you are to contribute all the means in your power towards the defence of the country, its citizens, and property, against any

aggressions which may be attempted by the British armed vessels or any other armed force. I salute you with respect.

TO GENERAL MATTHEWS.

WASHINGTON, July 8, 1807.

SIR,—The Secretary at War having gone on to New York for the purpose of having that place put into a state of defence, your letter of July 4th to him has been put into my hands. I see with satisfaction that in an emergency too sudden to have been provided for by orders from hence, you have, under the guidance of your own judgment and patriotism, taken the measures within your power towards supporting the rights of your country. I will pray you to consider the proclamation of July 2d as laying down the rule of action for all our citizens, in their several authorities and stations; but that it is further desired of you to employ the means under your command, for defence of the country, its citizens, and property, against all aggressions attempted by the British armed vessels or other force. The Governor of Virginia being in a situation to act with more promptitude on any emergency which may arise, so far as respects the militia of the State, I have authorized and requested him to order into service such portions of the militia as he shall think necessary, on application from any of the persons charged with the defence of Norfolk or other places menaced. With

him I recommend to you to communicate as to the militia to be employed, approving most myself whatever shall be most effectual for repelling aggression on our peace, and maintaining the authority of the laws. Accept my salutations, and assurances of great respect.

TO THE HONORABLE THOMAS COOPER.

WASHINGTON, July 9, 1807.

DEAR SIR,—Your favor of June 23d is received. I had not before learned that a life of Dr. Priestley had been published, or I should certainly have procured it; for no man living had a more affectionate respect for him. In religion, in politics, in physics, no man has rendered more service.

I had always expected that when the republicans should have put down all things under their feet, they would schismatize among themselves. I always expected, too, that whatever names the parties might bear, the real division would be into moderate and ardent republicanism. In this division there is no great evil,—not even if the minority obtain the ascendency by the accession of federal votes to their candidate; because this gives us one shade only, instead of another, of republicanism. It is to be considered as apostasy only when they purchase the votes of federalists, with a participation in honor and power. The gross insult lately received from the English has forced the latter into a momentary coali-

tion with the mass of republicans; but the moment we begin to act in the very line they have joined in approving, all will be wrong, and every act the reverse of what it should have been. Still, it is better to admit their coalescence, and leave to themselves their short-lived existence. Both reason and the usage of nations required we should give Great Britain an opportunity of disavowing and repairing the insult of their officers. It gives us at the same time an opportunity of getting home our vessels, our property, and our seamen,—the only means of carrying on the kind of war we should attempt. The only difference, I believe, between your opinion and mine, as to the protection of commerce, is the forcing the nation to take the best road, and the letting them take the worse, if such is their will. I salute you with great esteem and respect.

TO THE SECRETARY OF WAR.

(HENRY DEARBORN.)

WASHINGTON, July 9, 1807.

DEAR SIR,—Considering that gunboats will enter very materially into the system of defence for New York, I have thought that Commodore Rogers, (who is proceeding to that place on other business,) from his peculiar acquaintance with their operation and effect, might be useful as an associate in your examinations of the place, and the determinations to be formed. His opinions on that part of the subject

will add weight to whatever shall be concluded. I have therefore desired him to take a part with yourself, the Vice-President, and Colonel Williams, in the examinations and consultations.

I have just received a deputation from the Alexandrians, who are under uneasiness for their own unprotected situation, and asking the loan of a large number of muskets and cannon. I have convinced them that a very small force at Digges' Point will defend them more effectually than a very great one at their city, and that on your return we will have the place examined, a battery established, and have small arms in readiness to be given out to them in the moment they shall be wanted to support the battery. Indeed I think a position to be taken there is indispensable for the safety of the Navy Yard and its contents: say a battery and block-house. Who can we get to examine the place, and give a proper plan? This we must determine on your return. Nothing new from Norfolk. Mr. Erskine has written pressingly to Commodore Douglass. Affectionate salutations.

TO ALBERT GALLATIN.

July 10, 1807.

Something now occurs almost every day on which it is desirable to have the opinions of the Heads of departments, yet to have a formal meeting every day would consume so much of their time as to seriously obstruct their regular business. I have proposed to

them, as most convenient for them, and wasting less of their time, to call on me at any moment of the day which suits their separate convenience, when, besides any other business they may have to do, I can learn their opinions separately on any matter which has occurred, also communicate the information received daily. Perhaps you could find it more convenient, sometimes, to make your call at the hour of dinner, instead of going so much further to dine alone. You will always find a plate and a sincere welcome. In this way, that is, successively, I have to-day consulted the other gentlemen on the question whether letters of marque were to be considered as written within our interdict. We are unanimously of opinion they are not. We consider them as essentially *merchant vessels;* that commerce is their main object, and arms merely incidental and defensive. Affectionate salutations.

TO JAMES BOWDOIN.

WASHINGTON, July 10, 1807.

DEAR SIR,—I wrote you on the 10th of July, 1806, but supposing, from your not acknowledging the receipt of the letter, that it had miscarried, I sent a duplicate with my subsequent one of April the 2d. These having gone by the Wasp, you will doubtless have received them. Since that, yours of May the 1st has come to hand. You will see by the despatches from the Department of State, carried by the armed

vessel the Revenge, into what a critical state our peace with Great Britain is suddenly brought, by their armed vessels in our waters. Four vessels of war (three of them two deckers) closely blockade Norfolk at this instant. Of the authority under which this aggression is committed, their minister here is unapprised. You will see by the proclamation of July the 2d, that (while we are not omitting such measures of force as are immediately necessary) we propose to give Great Britain an opportunity of disavowal and reparation, and to leave the question of war, non-intercourse, or other measures, uncommitted, to the Legislature. This country has never been in such a state of excitement since the battle of Lexington. In this state of things, cordial friendship with France, and peace at least with Spain, become more interesting. You know the circumstances respecting this last power, which have rendered it ineligible that you should have proceeded heretofore to your destination. But this obstacle is now removed by their recall of Yrujo, and appointment of another minister, and in the meantime, of a chargé des affaires, who has been received. The way now being open for taking your station at Madrid, it is certainly our wish you should do so, and that this may be more agreeable to you than your return home, as is solicited in yours of May the 1st. It is with real unwillingness we should relinquish the benefit of your services. Nevertheless, if your mind is decidedly bent on that, we shall regret, but not oppose your

return. The choice, therefore, remains with yourself. In the meantime, your place in the joint commission being vacated by either event, we shall take the measures rendered necessary by that. We have seen, with real grief, the misunderstanding which has taken place between yourself and General Armstrong. We are neither qualified nor disposed to form an opinion between you. We regret the pain which must have been felt by persons, both of whom hold so high a place in our esteem, and we have not been without fear that the public interest might suffer by it. It has seemed, however, that the state of Europe has been such as to admit little to be done, in matters so distant from them.

The present alarm has had the effect of suspending our foreign commerce. No merchant ventures to send out a single vessel; and I think it probable this will continue very much the case till we get an answer from England. Our crops are uncommonly plentiful. That of small grain is now secured south of this, and the harvest is advancing here.

Accept my salutations, and assurances of affectionate esteem and respect.

TO CAPTAIN BEATTY, FOR HIMSELF, THE OTHER OFFICERS AND PRIVATES OF THE LIGHT INFANTRY COMPANY OF GEORGETOWN.

WASHINGTON, July 11, 1807.

SIR,—I have received your letter of yesterday, mentioning that you had, on the 4th of July, made

a tender of the services of the Light Infantry Company of Georgetown. The circumstances of the day must apologize for its having escaped my recollection. This tender of service in support of the rights of our country merits and meets the highest praise; and whenever the moment arrives in which these rights must appeal to the public arm for support, the spirit from which your offer flows, that which animates our nation, will be their sufficient safeguard.

To the Legislature will be rendered a faithful account of the events which have so justly excited the sensibilities of our country, of the measures taken to obtain reparation, and of their result; and to their wisdom will belong the course to be ultimately pursued.

In the meantime it is our duty to pursue that prescribed by the existing laws, towards which, should your services be requisite, this offer of them will be remembered.

I tender for your country the thanks so justly due to yourself, the other officers and privates of the company.

TO BARNABAS BIDWELL.

WASHINGTON, July 11, 1807.

DEAR SIR,—Yours of June 27th has been duly received, and although wishing your happiness always, I cannot be altogether unpleased with a transfer of your services to a department more

pleasing to yourself, yet I cannot but lament your loss in Congress. You know that talents cannot be more useful anywhere than there; and the times seem to portend that we may have occasion there for all we possess. You have long ago learnt the atrocious acts committed by the British armed vessels in the Chesapeake and its neighborhood. They cannot be easily accommodated, although it is believed that they cannot be justified by orders from their government. We have acted on these principles; 1, to give that government an opportunity to disavow and make reparation; 2, to give ourselves time to get in the vessels, property and seamen, now spread over the ocean; 3, to do no act which might compromit Congress in their choice between war, non-intercourse, or any other measure. We shall probably call them some time in October, having regard to the return of the healthy season, and to the receipt of an answer from Great Britain, before which they could only act in the dark. In the meantime we shall make all the preparations which time will permit, so as to be ready for any alternative.

The officers of the British ships, in a conference with a gentleman sent to them by the Mayor of Norfolk, have solemnly protested they mean no further proceeding without further orders. But the question is whether they will obey the proclamation? If they do not, acts of force will probably ensue; still these may lead to nothing further, if their government is just. I salute you with great affection.

TO THE SECRETARY OF WAR.
(HENRY DEARBORN.)

WASHINGTON, July 13, 1807.

DEAR SIR,—I wrote you on the 7th; since that we learn that the Bellone and Leopard remaining in Hampton Road, the other two vessels have returned to the Capes of Chesapeake, where they have been reinforced by another frigate and a sloop of war, we know not from whence. This induces us to suppose they do not mean an immediate attack on Norfolk, but to retain their present position till further orders from their Admiral. I am inclined to think that the body of militia now in the field in Virginia would need to be regulated according to these views. They are in great want of artillery, the State possessing none. Their subsistence also, and other necessary expenses, require immediate attention from us, the finances of the State not being at all in a condition to meet these cases. We have some applications for the loan of field-pieces. The transportation of heavy cannon to Norfolk and Hampton, is rendered difficult by the blockade of those ports. These things are of necessity reserved for your direction on your return, as nobody here is qualified to act in them. It gives me sincere concern that events should thus have thwarted your wishes. Should the Bellone and Leopard retire, and a disposition be shown by the British commanders to restore things to a state of peace until they hear from their government, we may go into summer quarters without injury to the

public safety, having previously made all necessary arrangements. But if the present hostile conduct is pursued, I fear we shall be obliged to keep together, or at least within consulting distance. I salute you with sincere affection and respect.

TO MONSIEUR DUPONT DE NEMOURS.

WASHINGTON, July 14, 1807.

MY DEAR SIR,—I received last night your letter of May 6th, and a vessel being just now sailing from Baltimore, affords me an opportunity of hastily acknowledging it. Your exhortation to make a provision of arms is undoubtedly wise, and we have not been inattentive to it. Our internal resources for cannon are great, and those for small arms considerable, and in full employment. We shall not suffer from that want, should we have war; and of the possibility of that you will judge by the enclosed proclamation, and by what you know of the character of the English government. Never since the battle of Lexington have I seen this country in such a state of exasperation as at present, and even that did not produce such unanimity. The federalists themselves coalesce with us as to the object, though they will return to their trade of censuring every measure taken to obtain it. "Reparation for the past, and security for the future," is our motto; but whether they will yield it freely, or will require resort to non-intercourse, or to war, is yet to be seen. We prepare

for the last. We have actually 2,000 men in the field, employed chiefly in covering the exposed coast, and cutting off all supply to the British vessels. We think our gunboats at New York, (thirty-two,) with heavy batteries along shore, and bombs, will put that city *hors de insulte*. If you could procure and send me a good description and drawing of one of your Prames, you would do me a most acceptable service. I suppose them to be in fact a floating battery, rendered very manageable by oars.

Burr's conspiracy has been one of the most flagitious of which history will ever furnish an example. He had combined the objects of separating the western States from us, of adding Mexico to them, and of placing himself at their head. But he who could expect to effect such objects by the aid of American citizens, must be perfectly ripe for Bedlam. Yet although there is not a man in the United States who is not satisfied of the depth of his guilt, such are the jealous provisions of our laws in favor of the accused, and against the accuser, that I question if he can be convicted. Out of the forty-eight jurors who are to be summoned, he has a right to choose the twelve who are to try him, and if any one of the twelve refuses to concur in finding him guilty, he escapes. This affair has been a great confirmation in my mind of the innate strength of the form of our government. He had probably induced near a thousand men to engage with him, by making them believe the government connived at it. A proclamation alone, by

undeceiving them, so completely disarmed him, that he had not above thirty men left, ready to go all lengths with him. The first enterprise was to have been the seizure of New Orleans, which he supposed would powerfully bridle the country above, and place him at the door of Mexico. It has given me infinite satisfaction that not a single native Creole of Louisiana, and but one American, settled there before the delivery of the country to us, were in his interest. His partisans there were made up of fugitives from justice, or from their debts, who had flocked there from other parts of the United States, after the delivery of the country, and of adventurers and speculators of all descriptions. I thank you for the volume of Memoirs you have sent me, and I will immediately deliver that for the Philosophical Society. I feel a great interest in the publication of Turfot's works, but quite as much in your return here. Your Eleutherian son is very valuable to us, and will daily become more so. I hope there will be a reaction of good offices on him. We have heard of a great improvement in France of the furnace for heating cannon-balls, but we can get no description of it.

I salute you with sincere affection, and add assurances of the highest respect.

TO THE MARQUIS DE LA FAYETTE.

WASHINGTON, July 14, 1807.

MY DEAR FRIEND,—I received last night your letters of February the 20th and April 29th, and a

vessel just sailing from Baltimore enables me hastily to acknowledge them; to assure you of the welcome with which I receive whatever comes from you, and the continuance of my affectionate esteem for yourself and family. I learn with much concern, indeed, the state of Madame de La Fayette's health. I hope I have the pleasure yet to come of learning its entire re-establishment. She is too young not to give great confidence to that hope.

Measuring happiness by the American scale, and sincerely wishing that of yourself and family, we had been anxious to see them established this side of the great water. But I am not certain that any equivalent can be found for the loss of that species of society to which our habits have been formed from infancy. Certainly, had you been, as I wished, at the head of the government of Orleans, Burr would never have given me one moment's uneasiness. His conspiracy has been one of the most flagitious of which history will ever furnish an example. He meant to separate the western States from us, to add Mexico to them, place himself at their head, establish what he would deem an energetic government, and thus provide an example and an instrument for the subversion of our freedom. The man who could expect to effect this, with American materials, must be a fit subject for Bedlam. The seriousness of the crime, however, demands more serious punishment. Yet, although there is not a man in the United States who doubts his guilt, such are the jealous provisions of our laws

in favor of the accused against the accuser, that I question if he is convicted. Out of forty-eight jurors to be summoned, he is to select the twelve who are to try him, and if there be any one who will not concur in finding him guilty, he is discharged of course. I am sorry to tell you that Bollman was Burr's right hand man in all his guilty schemes. On being brought to prison here, he communicated to Mr. Madison and myself the whole of the plans, always, however, apologetically for Burr, as far as they would bear. But his subsequent tergiversations have proved him conspicuously base. I gave him a pardon, however, which covers him from everything but infamy. I was the more astonished at his engaging in this business, from the peculiar motives he should have felt for fidelity. When I came into the government, I sought him out on account of the services he had rendered you, cherished him, offered him two different appointments of value, which, after keeping them long under consideration, he declined for commercial views, and would have given him anything for which he was fit. Be assured he is unworthy of ever occupying again the care of any honest man. Nothing has ever so strongly proved the innate force of our form of government, as this conspiracy. Burr had probably engaged one thousand men to follow his fortunes, without letting them know his projects, otherwise than by assuring them the government approved of them. The moment a proclamation was issued, undeceiving them, he found himself left

with about thirty desperadoes only. The people rose in mass wherever he was, or was suspected to be, and by their own energy the thing was crushed in one instant, without its having been necessary to employ a man of the military, but to take care of their respective stations. His first enterprise was to have been to seize New Orleans, which he supposed would powerfully bridle the upper country, and place him at the door of Mexico. It is with pleasure I inform you that not a single native Creole, and but one American of those settled there before we received the place, took any part with him. His partisans were the new emigrants from the United States and elsewhere, fugitives from justice or debt, and adventurers and speculators of all descriptions.

I enclose you a proclamation, which will show you the critical footing on which we stand at present with England. Never, since the battle of Lexington, have I seen this country in such a state of exasperation as at present. And even that did not produce such unanimity. The federalists themselves coalesce with us as to the object, although they will return to their old trade of condemning every step we take towards obtaining it. "Reparation for the past, and security for the future," is our motto. Whether these will be yielded freely, or will require resort to non-intercourse, or to war, is yet to be seen. We have actually near two thousand men in the field, covering the exposed parts of the coast, and cutting off supplies from the British vessels.

I am afraid I have been very unsuccessful in my endeavors to serve Madame de Tessé in her taste for planting. A box of seeds, etc., which I sent her in the close of 1805, was carried with the vessel into England, and discharged so late that I fear she lost their benefit for that season. Another box, which I prepared in the autumn of 1806, has, I fear, been equally delayed from other accidents. However, I will persevere in my endeavors.

Present me respectfully to her, M. de Tessé, Madam de La Fayette and your family, and accept my affectionate salutations, and assurances of constant esteem and respect.

TO GOVERNOR WILLIAM H. CABELL.

WASHINGTON, July 16, 1807.

DEAR SIR,—Your letter of the 10th has been received, and I note what is said on the provision which ought to be made by us, for the militia in the field. An arrangement by the Secretary at War to meet certain other persons at New York, to concert a plan of defence for that city, has occasioned necessarily his temporary absence from this place, and there is no person sufficiently informed to take the necessary measures until his return, which will be on Tuesday or Wednesday next. I hope no great inconvenience may be experienced if it lies till then. It has been suggested to me that if the British vessels should be disposed to leave our waters, they might

not be able to do it without some supplies, especially of water; and it is asked whether supplies to carry them away may be admitted? It has been answered that, on their giving assurance of immediate departure from our waters, they may have the supplies necessary to carry them to Halifax or the West Indies. I must pray you to instruct General Matthews to permit it, if he be applied to. But it is best that nothing be said on this subject until an application is actually made by them. Their retirement would prevent the necessity of a resort to force, and give us time to get in our ships, our property, and our seamen, now under the grasp of our adversary; probably not less than 20,000 of the latter are now exposed on the ocean, whose loss would cripple us in the outset more than the loss of several battles. However pleasing the ardor of our countrymen, as a pledge of their support, if war is to ensue, as is very possible, we, to whom they trust for conducting their affairs to the best advantage, should take care that it be not precipitated, while every day is restoring to us our best means for carrying it on. I salute you with friendship and respect.

TO MADAME STAEL-HOLSTEIN.

WASHINGTON, July 16, 1807.

I have received, Madam, the letter which you have done me the favor to write from Paris on the 24th of April, and M. le Ray de Chaumont informs me that

the book you were so kind as to confide to him, not having reached Nantes when he sailed, will come by the first vessel from that port to this country. I shall read with great pleasure whatever comes from your pen, having known its powers when I was in a situation to judge, nearer at hand, the talents which directed it.

Since then, Madam, wonderful are the scenes which have passed! Whether for the happiness of posterity, must be left to their judgment. Even of their effect on those now living, we, at this distance, undertake not to decide. Unmeddling with the affairs of other nations, we presume not to prescribe or censure their course. Happy, could we be permitted to pursue our own in peace, and to employ all our means in improving the condition of our citizens. Whether this will be permitted, is more doubtful now than at any preceding time. We have borne patiently a great deal of wrong, on the consideration that if nations go to war for every degree of injury, there would never be peace on earth. But when patience has begotten false estimates of its motives, when wrongs are pressed because it is believed they will be borne, resistance becomes morality.

The grandson of Mr. Neckar cannot fail of a hearty welcome in a country which so much respected him. To myself, who loved the virtues and honored the great talents of the grandfather, the attentions I received in his natal house, and particular esteem for yourself, are additional titles to whatever service I

can render him. In our cities he will find distant imitations of the cities of Europe. But if he wishes to know the nation, its occupations, manners, and principles, they reside not in the cities; he must travel through the country, accept the hospitalities of the country gentlemen, and visit with them the school of the people. One year after the present will complete for me the *quadragena stipendia*, and will place me among those to whose hospitality I recommend the attentions of your son. He will find a sincere welcome at Monticello, where I shall then be in the bosom of my family, occupied with my books and my farms, and enjoying, under the government of a successor, the freedom and tranquillity I have endeavored to secure for others.

Accept the homage of my respectful salutations, and assurances of great esteem and consideration.

TO GENERAL JOHN ARMSTRONG.

WASHINGTON, July 17, 1807.

DEAR SIR,—I take the liberty of enclosing to your care some letters to friends who, whether they are in Paris or not I do not know. If they are not, I will pray you to procure them a safe delivery.

You will receive, through the Department of State, information of the critical situation in which we are with England. An outrage not to be borne has obliged us to fly to arms, and has produced such a state of exasperation, and that so unanimous, as

never has been seen in this country since the battle of Lexington. We have between two and three thousand men on the shores of the Chesapeake, patrolling them for the protection of the country, and for preventing supplies of any kind being furnished to the British; and the moment our gunboats are ready we shall endeavor by force to expel them from our waters. We now send a vessel to call upon the British government for reparation for the past outrage, and security for the future, nor will anything be deemed security but a renunciation of the practice of taking persons out of our vessels, under the pretence of their being English. Congress will be called some time in October, by which time we may have an answer from England. In the meantime we are preparing for a state of things which will take that course, which either the pride or the justice of England shall give it. This will occasion a modification of your instructions, as you will learn from the Secretary of State. England will immediately seize on the Floridas as a *point d'appui* to annoy us. What are we to do in that case? I think she will find that there is no nation on the globe which can gall her so much as we can. I salute you with great affection and respect.

TO THE SECRETARY OF WAR.
(HENRY DEARBORN.)

WASHINGTON, July 17, 1807.

MY DEAR SIR,—I have this moment received certain information that the British vessels have retired

from Hampton Road. Whether they will only join their companions in the bay, and remain there or go off, is yet to be seen. It gives me real pain to believe that circumstances still require your presence here. I have had a consultation this day with our colleagues on that subject, and we have all but one opinion on that point. Indeed, if I regarded yourself alone, I should deem it necessary to satisfy public opinion, that you should not be out of place at such a moment. The arrangements for the militia, now much called for, can be properly made only by yourself. Several other details are also at a stand. I shall therefore hope to see you in a very few days. An important question will be to be decided on the arrival of Decatur here, about this day se'night, whether, as the retirement of the British ships from Hampton Road enables us to get our sixteen gunboats together, we shall authorize them to use actual force against the British vessels. Present to Mrs. Dearborn, and accept yourself, my affectionate and respectful salutations.

TO JOHN PAGE.

WASHINGTON, July 17, 1807.

MY DEAR FRIEND,—Yours of the 11th is received. In appointments to public offices of mere profit, I have ever considered faithful service in either our first or second revolution as giving preference of claim, and that appointments on that principle

would gratify the public, and strengthen that confidence so necessary to enable the executive to direct the whole public force to the best advantage of the nation. Of Mr. Bolling Robertson's talents and integrity I have long been apprised, and would gladly use them where talents and integrity are wanting. I had thought of him for the vacant place of secretary of the Orleans territory, but supposing the salary of two thousand dollars not more than he makes by his profession, and while remaining with his friends, I have, in despair, not proposed it to him. If he would accept it, I should name him instantly with the greatest satisfaction. Perhaps you could inform me on this point.

With respect to Major Gibbons, I do indeed recollect, that in some casual conversation, it was said, that the most conspicuous accomplices of Burr were at home at his house; but it made so little impression on me, that neither the occasion nor the person is now recollected. On this subject, I have often expressed the principles on which I act, with a wish they might be understood by the federalists in office. I have never removed a man merely because he was a federalist: I have never wished them to give a vote at an election, but according to their own wishes. But as no government could discharge its duties to the best advantage of its citizens, if its agents were in a regular course of thwarting instead of executing all its measures, and were employing the patronage and influence of their offices against the government

and its measures, I have only requested they would be quiet, and they should be safe; that if their conscience urges them to take an active and zealous part in opposition, it ought also to urge them to retire from a post which they could not conscientiously conduct with fidelity to the trust reposed in them; and on failure to retire, I have removed them; that is to say, those who maintained an active and zealous opposition to the government. Nothing which I have yet heard of Major Gibbons places him in danger from these principles.

I am much pleased with the ardor displayed by our countrymen on the late British outrage. It gives us the more confidence of support in the demand of *reparation* for the past, and *security* for the future, that is to say, an end of impressments. If motives of either justice or interest should produce this from Great Britain, it will save a war; but if they are refused, we shall have gained time for getting in our ships and property, and at least twenty thousand seamen now afloat on the ocean, and who may man two hundred and fifty privateers. The loss of these to us would be worth to Great Britain many victories of the Nile and Trafalgar. The meantime may also be importantly employed in preparations to enable us to give quick and deep blows.

Present to Mrs. Page, and receive yourself my affectionate and respectful salutations.

TO BENJAMIN MORGAN, ESQ.

WASHINGTON, July 18, 1807.

SIR,—We learn through the channel of the newspapers that Governor Claiborne having engaged in a duel, has been dangerously wounded, and the Secretary having resigned his office, the territory will in that event be left without any executive head. It is not in my power immediately to make provision for this unfortunate and extraordinary state to which the territory may thus have been reduced, otherwise than by beseeching you to undertake the office of Secretary for a short time, until I can fill up the appointment. I well know that immersed in other business, as you are, this will greatly embarrass you; but I will not desire you to do anything more than absolute necessity shall require, and even from that you shall be shortly relieved by the appointment of a successor. This request is made in the event of Governor Claiborne's wound having proved mortal. If he is alive, the commission need not be used. I shall be anxious to hear from you. In the meantime accept my friendly and respectful salutations.

TO GOVERNOR WILLIAM H. CABELL.

WASHINGTON, July 19, 1807.

SIR,—Your letter of the 15th was received yesterday, and the opinion you have given to General Matthews against allowing any intercourse between the

British Consul and the ships of his nation remaining in our waters, in defiance of our authority, is entirely approved. Certainly while they are conducting themselves as enemies *de facto*, intercourse should be permitted only as between enemies, by flags under the permission of the commanding officers, and with their passports. My letter of the 16th mentioned a case in which a communication from the British officers should be received if offered. A day or two ago, we permitted a parent to go on board the Bellone with letters from the British minister, to demand a son impressed; and others equally necessary will occur, but they should be under the permission of some officer having command in the vicinity.

With respect to the disbanding some portion of the troops, although I consider Norfolk as rendered safe by the batteries, the two frigates, the eight gunboats present, and nine others and a bomb-vessel which will be there immediately, and consequently that a considerable proportion of the militia may be spared, yet I will pray you to let that question lie a few days, as in the course of this week we shall be better able to decide it. I am anxious for their discharge the first moment it can be done with safety, because I know the dangers to which their health will be exposed in that quarter in the season now commencing. By a letter of the 14th from Colonel Tatham, stationed at the vicinities of Lynhaven Bay to give us daily information of what passes, I learn that the British, officers and men, often go ashore there, that

on the day preceding, 100 had been at the pleasure-house in quest of fresh provisions and water, that negroes had begun to go off to them. As long as they remain there, we shall find it necessary to keep patrols of militia in the neighborhood sufficiently strong to prevent them from taking or receiving supplies. I presume it would be thought best to assign the tour for the three months to come, to those particular corps who being habituated to the climate of that part of the country, will be least likely to suffer in their health; at the end of which time others from other parts of the country may relieve them, if still necessary. In the meantime our gunboats may all be in readiness, and some preparations may be made on the shore, which may render their remaining with us not eligible to themselves. These things are suggested merely for consideration for the present, as by the close of the week I shall be able to advise you of the measures ultimately decided on. I salute you with friendship and respect.

TO WILLIAM DUANE.

WASHINGTON, July 20, 1807.

SIR,—Although I cannot always acknowledge the receipt of communications, yet I merit their continuance by making all the use of them of which they are susceptible. Some of your suggestions had occurred, and others will be considered. The time is coming when our friends must enable us to hear

everything, and expect us to say nothing; when we shall need all their confidence that everything is doing which can be done, and when our greatest praise shall be, that we *appear* to be doing nothing. The law for detaching one hundred thousand militia, and the appropriation for it, and that for fortifications, enable us to do everything for land service, as well as if Congress were here; and as to naval matters, their opinion is known. The course we have pursued, has gained for our merchants a precious interval to call in their property and our seamen, and the postponing the summons of Congress will aid in avoiding to give too quick an alarm to the adversary. They will be called, however, in good time. Although we demand of England what is merely of right, reparation for the past, security for the future, yet as their pride will possibly, nay probably, prevent their yielding them to the extent we shall require, my opinion is, that the public mind, which I believe is made up for war, should maintain itself at that point. They have often enough, God knows, given us cause of war before; but it has been on points which would not have united the nation. But now they have touched a chord which vibrates in every heart. Now then is the time to settle the old and the new.

I have often wished for an occasion of saying a word to you on the subject of the Emperor of Russia, of whose character and value to us, I suspect you are not apprised correctly. A more virtuous man, I believe, does not exist, nor one who is more enthusi-

astically devoted to better the condition of mankind. He will probably, one day, fall a victim to it, as a monarch of that principle does not suit a Russian noblesse. He is not of the very first order of understanding, but he is of a high one. He has taken a peculiar affection to this country and its government, of which he has given me public as well as personal proofs. Our nation being, like his, habitually neutral, our interests as to neutral rights, and our sentiments agree. And whenever conferences for peace shall take place, we are assured of a friend in him. In fact, although in questions of restitution he will be with England, in those of neutral rights he will be with Bonaparte and with every other power in the world, except England; and I do presume that England will never have peace until she subscribes to a just code of marine law. I have gone into this subject, because I am confident that Russia (while her present monarch lives) is the most cordially friendly to us of any power on earth, will go furthest to serve us, and is most worthy of conciliation. And although the source of this information must be a matter of confidence with you, yet it is desirable that the sentiments should become those of the nation. I salute you with esteem and respect.

TO EDMUND PENDLETON GAINES.

WASHINGTON, July 23, 1807.

Thomas Jefferson has re-examined the complaints in the memorial from Tombigbee, and Mr. Gaines' explanation. The complaints are:

1. That Mr. Gaines stopped a vessel having a legal permit.

2. That he arrested Colonel Burr militarily.

3. That Mr. Small gave evidence against Colonel Burr.

4. That he, Mr. Small, refused a passport to a Mr. Feu.

5. That he levies duties on Indian goods.

6. That the people of that settlement have not the free use of the Mobile.

2. That the arrest of Colonel Burr was military has been disproved; but had it been so, every honest man and good citizen is bound, by any means in his power, to arrest the author of projects so daring and dangerous.

3. This complaint, as well as the preceding one, would imply a partiality for Colonel Burr, of which he hopes the petitioners were not guilty.

5. The levy of duty on Indian goods is required by the laws of Congress.

6. There has been a constant hope of obtaining the navigation by negotiation, and no endeavors have been spared. Congress has not thought it expedient as yet to plunge the nation into a war against

Spain and France, or to obtain an exemption from the duty levied on the use of that river.

(1.) On the subject of the first complaint, Mr. Gaines was giving a verbal explanation, which Thomas Jefferson asks the favor of him to repeat.

(4.) On this subject, also, he asks any information Mr. Gaines can give; for though it is a matter of discretion, it should be exercised without partiality or passion. He salutes Mr. Gaines with esteem and respect.

TO GOVERNOR WILLIAM H. CABELL.

WASHINGTON, July 24, 1807.

SIR,—Yours of the 20th has been duly received. The relation in which we stand with the British naval force within our waters is so new, that differences of opinion are not to be wondered at respecting the captives, who are the subject of your letter. Are they insurgents against the authority of the laws? Are they public enemies, acting under the orders of their sovereign? or will it be more correct to take their character from the act of Congress for the preservation of peace in our harbors, which authorizes a qualified war against persons of their demeanor, defining its objects, and limiting its extent? Considering this act as constituting the state of things between us and them, the captives may certainly be held as prisoners of war. If we restore them it will be an act of favor, and not of any right they can urge. Whether Great

Britain will give us that reparation for the past and security for the future, which we have categorically demanded, cannot as yet be foreseen; but we have believed we should afford an opportunity of doing it, as well from justice and the usage of nations, as a respect to the opinion of an impartial world, whose approbation and esteem are always of value. This measure was requisite, also, to produce unanimity among ourselves; for however those nearest the scenes of aggression and irritation may have been kindled into a desire for war at short hand, the more distant parts of the Union have generally rallied to the point of previous demand of satisfaction and war, if denied. It was necessary, too, for our own interests afloat on the ocean, and under the grasp of our adversary; and, added to all this, Great Britain was ready armed and on our lines, while we were taken by surprise, in all the confidence of a state of peace, and needing time to get our means into activity. These considerations render it still useful that we should avoid every act which may precipitate immediate and general war, or in any way shorten the interval so necessary for our own purposes; and they render it advisable that the captives, in the present instance, should be permitted to return, with their boat, arms, etc., to their ships. Whether we shall do this a second, a third, or a fourth time, must still depend on circumstances. But it is by no means intended to retire from the ground taken in the proclamation. That is to be strictly adhered to.

And we wish the military to understand that while, for special reasons, we restore the captives in this first instance, we applaud the vigilance and activity which, by taking them, have frustrated the object of their enterprise, and urge a continuance of them, to intercept all intercourse with the vessels, their officers and crews, and to prevent them from taking or receiving supplies of any kind; and for this purpose, should the use of force be necessary, they are unequivocally to understand that force is to be employed without reserve or hesitation. I salute you with great esteem and respect.

TO GOVERNOR WILLIAM H. CABELL.

WASHINGTON, July 27, 1807.

SIR,—The Secretary at War having returned from New York, we have immediately taken up the question respecting the discharge of the militia, which was the subject of your two last letters, and which I had wished might remain undecided a few days. From what we have learnt of the conduct of the British squadron in the Chesapeake, since they have retired from Hampton Roads, we suppose that, until orders from England, they do not contemplate any further acts of hostility, other than those they are daily exercising, by remaining in our waters in defiance of the national authority, and bringing-to vessels within our jurisdiction. Were they even disposed to make an attempt on Norfolk, it is believed

to be sufficiently secured by the two frigates Cybele and Chesapeake, by the twelve gunboats now there, and four more from Matthews county expected,—by the works of Fort Nelson; to all of which we would wish a company of artillery, of the militia of the place, to be retained and trained, putting into their hands the guns used at Fort Norfolk and Cape Henry, to cut off from these vessels all supplies, according to the injunctions of the proclamation, and to give immediate notice to Norfolk should any symptoms of danger appear,—to oppose which the militia of the borough and the neighboring counties should be warned to be in constant readiness to march at a moment's warning. Considering these provisions as quite sufficient for the safety of Norfolk, we are of opinion that it will be better immediately to discharge the body of militia now in service, both on that and the other side of James river. This is rendered expedient, not only that we may husband from the beginning those resources which will probably be put to a long trial, but from a regard to the health of those in service, which cannot fail to be greatly endangered during the sickly season now commencing, and the discouragement, which would thence arise, to that ardor of public spirit now prevailing. As to the details necessary on winding up this service, the Secretary at War will write fully, as he will, also, relative to the force retained in service, and whatever may hereafter concern them or their operations, which he possesses so much more famil-

iarly than I do, and have been gone into by myself immediately, only on account of his absence on another service.

The diseases of the season incident to most situations on the tide-waters, now beginning to show themselves here, and to threaten some of our members, together with the probability of a uniform course of things in the Chesapeake, induce us to prepare for leaving this place during the two sickly months, as well for the purposes of health as to bestow some little attention to our private affairs, which is necessary at some time of every year. Our respective stations will be fixed and known, so that everything will find us at them, with the same certainty as if we were here; and such measures of intercourse will be established as that the public business will be carried on at them, with all the regularity and dispatch necessary. The present arrangements of the post office admit an interchange of letters between Richmond and Monticello twice a week, if necessary, and I propose that a third shall be established during the two ensuing months, of which you shall be informed. My present expectation is to leave this place for Monticello, about the close of this or the beginning of the next week. The Secretary at War will continue in this neighborhood until we shall further see that the course of things in the Chesapeake will admit of his taking some respite. I salute you with great esteem and respect.

TO COLONEL WILLIAM TATHAM.

WASHINGTON, July 28, 1807.

SIR,—Your several letters from the 10th to the 23d, inclusive, have been duly received, and have served to regulate our belief of the state of things in Lynhaven, amidst the variety of uncertain reports which were afloat. In mine of the 6th, I mentioned that it would be necessary for me to ask the continuance of this service from you only until I could ascertain the course the squadron of Commodore Douglass meant to pursue. We are now tolerably satisfied as to that course. From everything we have seen, we conclude that it is not their intention to go into a state of general war, or to commit further hostilities than remaining in our waters in defiance, and bring-to vessels within them, until they get their orders from England. We have therefore determined to keep up only a troop of cavalry for patrolling the coast opposite them, and preventing their getting supplies, and the naval and artillery force, now in Norfolk, for its defence. In this state of things, and in consideration of the unhealthy season now approaching at this as other places on the tide-waters, and which we have always retired from about this time, the members of the administration, as well as myself, shall leave this place in three or four days, not to return till the sickly term is over, unless something extraordinary should re-assemble us. It is therefore unnecessary for me to ask any longer the

continuance of your labors. You will be so good as to make the proper disposition of whatever articles you may have found it necessary to procure on public account, to make up the accounts for your services according to the principles stated in my letter of the 6th, and to send them either to myself for the Navy Department, or to the head of that department directly. They would find me at Monticello. With my thanks for the diligence with which you have executed this trust, accept my salutations and assurances of esteem and respect.

TO GENERAL SAMUEL SMITH.

WASHINGTON, July 30, 1807.

DEAR SIR,—I kept up your letter of the 23d till the return of General Dearborn enabled us to give to the question of lending arms, a serious consideration. We find that both law and expediency draw a line for our guide. In general, our magazines are open for troops, militia, or others, when they take the field for actual service. Besides this, a law has expressly permitted loans for training volunteers who have engaged themselves for immediate service. The inference is, that we are not to lend to any others. And indeed, were we to lend for training the militia, our whole stock would not suffice, and not an arm would be left for real service. You are sensible, I am sure, that however desirous we might be of gratifying the particular request you have made, yet as

what we do for one we must do for another, we could not afterwards stop.

Of the measures suggested in your preceding letter, one only did not exactly meet our ideas. We thought it better not to convene Congress till the 26th of October. Within a fortnight after that we may expect our vessel with the answer of England. Until that arrives there would be no ground sufficiently certain for Congress to act on. In the meanwhile we are making every preparation which could be made were they in session. The detachment act and its appropriation authorizes this. Congress could not declare war without a demand of satisfaction, nor should they lay an embargo while we have so much under the grasp of our adversary. They might, indeed, authorize the building more gunboats; but having so lately negatived that proposition, it would not be respectful in me even to suggest it again, much less to make it the ground of convening them. If they should change their minds, and authorize the building more, (and indeed I think two hundred more, at least, are necessary, in aid of other works, to secure our harbors,) the winter will suffice for building them, and the winter will also enable us to do much towards batteries and fortifications, if the appropriation be made early. We find that we cannot man our gunboats now at Norfolk. I think it will be necessary to erect our sea-faring men into a naval militia, and subject them to tours of duty in whatever port they may be.

We have been for some time under dread from the bilious season, now commencing. Mr. Madison and Mr. Gallatin have had symptoms of indisposition. We have nearly everything so arranged as that we can carry on the public affairs at our separate stations. I shall therefore leave this on the 1st of August, for that and the ensuing month. We shall avoid, as far as we honorably can, every act which would precipitate general hostilities, and shorten the interval so necessary for our merchants to get in their property and our seamen. Accept my salutations, and assurances of great esteem and respect.

TO THE MASTERS OF VESSELS IN THE PORT OF CHARLESTON, S. C.

WASHINGTON, July 30, 1807.

The offer of your professional services in any way most useful to your country, merits and meets the highest praise. Should the outrages lately committed by the agents of a foreign power, in the Chesapeake and its neighborhood, extend themselves to your port, your services will be valuable towards its security; and if a general appeal is to be made to the public arm for the support of our rights, the spirit from which your offer flows, that which animates our nation, will, I trust, be their sufficient safeguard.

I tender for your country the thanks you so justly deserve.

TO GOVERNOR WILLIAM H. CABELL.

WASHINGTON, July 31, 1807.

DEAR SIR,—I shall to-morrow set out for Monticello. Considering the critical state of things, it has been thought better, during my stay there, to establish a *daily* conveyance of a mail from Fredericksburg to Monticello. This enables me to hear both from the north and south every day. Should you have occasion then to communicate with me, your letters can come to me daily by being put into the Fredericksburg mail, every day except that on which the mail stage leaves Richmond for Milton, by which letters of that day will come to me directly.

The course which things are likely to hold for some time has induced me to discontinue the establishment at Lynhaven for obtaining daily information of the movements of the squadron in that neighborhood. But still as it is expected that a troop of cavalry will patrol that coast constantly, I think it would be advisable if your Excellency would be so good as to instruct the commanding officer of the troop to inform you daily of the occurrences of the day, sending off his letter in time to get to Norfolk before the post hour. This letter, after perusal for your own information, I would ask the favor of you to forward by the post of the day, under cover to me. I think a post comes one day from Norfolk by the way of Petersburg, and the next by the way of Hampton. If so, the letters may come every day. I salute you with great and sincere esteem and respect.

TO COLONEL JOHN TAYLOR.

WASHINGTON, August 1, 1807.

DEAR SIR,—I received two days ago your letter recommendatory of Mr. Woodford. I knew his father well, and can readily believe that his merits are descended on the son, and especially after what you say of him. If we could always have as good grounds to go upon, it would greatly relieve the terrible business of nominations. But lest you should not have attended to it, I have taken up my pen in the moment of setting out for Monticello, to remind you that whether we receive the militia or volunteers from the States, the appointment of officers will be with them. There therefore should be Mr. Woodford's application. Should we have war with England, regular troops will be necessary; and though in the first moments of the outrage on the Chesapeake I did not suppose it was by authority from their government, I now more and more suspect it, and of course, that they will not give the reparation for the past and security for the future, which alone may prevent war. The new depredations committing on us, with this attack on the Chesapeake, and their calling on Portugal to declare on the one side or the other, if true, prove they have coolly calculated it will be to their benefit to have everything on the ocean fair prize, and to support their navy by plundering all mankind. This is the doctrine of "war in disguise," and I expect they are going to

adopt it. It is really mortifying that we should be forced to wish success to Bonaparte, and to look to his victories as our salvation. We expect the return of the Revenge the second week in November, with their answer, or no answer, which will enable Congress to take their course. In the meantime, we will have everything as ready as possible for any course they may prefer. I salute you with friendship and respect.

TO GENERAL HENRY DEARBORN.

MONTICELLO, August 7, 1807.

I daresay that Purcell's map must be of value, and it would be well if his representatives would publish it, but whether worth your purchase, and at what price, General Wilkinson might perhaps satisfy you. I shall write to Marentille that if you think it worth while to give him fifty thousand dollars for his project, you will inform him. In the contrary case, it may be put away in your pigeon hole of projects. Governor Cabell, after informing me of the orders for the discharge of the militia, except a company of artillery, and one of cavalry, as we directed, adds: "I have, however, in pursuance of the advice of council, done what your letter did not expressly authorize. But when I state to you the reasons which influenced the measure, I hope you will approve it. You relied entirely on the troop of horse for cutting off the supplies. But we have

received the most satisfactory information of the insufficiency of cavalry to perform that service, in consequence of the particular nature of the country in which they have to act. It is covered with sand-banks and hills, which, in many places (where supplies are most easily procured), render cavalry incapable of action. So severe has this service been, that it has already almost knocked up as fine a battalion of cavalry as any in the United States, perhaps as any in the world. Influenced by these considerations, which we believe had not presented themselves to your mind, because you had not received the necessary information as to facts, the executive have called into service a company of infantry from the county of Princess Anne, to co-operate with the cavalry in cutting off the supplies. Since giving these orders, I understand that General Matthews has anticipated us by calling into actual service the very force we contemplated." Our object was certainly to prevent supplies, and if the means we thought of are not adequate, we should, had we known all circumstances, have provided what would have been effectual; for I think the point of honor requires we should enforce the proclamation in those points in which we have force sufficient. I shall await your opinion, however, before I answer the Governor's letter. Information as late as August 3d, shows that the squadron was quiet in and near the Bay, and General Thomas Hardy, to whom Tazewell delivered the five men, declared to him that his

objection to intercourse by flag, was that the two nations were not in a state of war, which alone required it. He said he expected Barclay, or General Robert Lowrie, in a week to take the command. I salute you with sincere affection and respect.

TO GOVERNOR WILLIAM H. CABELL.

MONTICELLO, August 7, 1807.

DEAR SIR,—Your letters of July 31st and August 5th were received yesterday. The ground taken in conformity with the Act of Congress, of considering as public enemies British armed vessels in or entering our waters, gives us the benefit of a system of rules, sanctioned by the practice of nations in a state of war, and consequently enabling us with certainty and satisfaction to solve the different cases which may occur in the present state of things. With these rules most officers are acquainted, and especially those old enough to have borne a part in the revolutionary war.

1. As to the enemy within our waters, intercourse, according to the usages of war, can only be by flag; and the ceremonies respecting that are usually a matter of arrangement between the adverse officers commanding in the neighborhood of each other. If no arrangement is agreed on, still the right of sending a flag is inherent in each party, whose discretion will direct him to address it to the proper adverse authority; as otherwise it would be subject to delay or

rejection. Letters addressed by flag to persons in authority with the adverse power, may be sent sealed, and should be delivered. But, if to others, or to their own friends happening to be within the limits of the adversary, they must be open. If innocent in the judgment of the receiving officer, courtesy requires their delivery; if otherwise, they may be destroyed or returned by him; but in a case of only suspended amity, as ours, they should be returned. Letters sent from the interdicted vessels to their consul in Norfolk must be open; and the propriety of delivering them judged of by our officer, tempering his judgment however with liberality and urbanity. Those to their minister plenipotentiary here, sealed or unsealed, should be sent to the Secretary of State without any delay. As to the demand of fugitive slaves, it was the custom during the late war, for the owner to apply to our commander for a flag, and to go himself with that, to exhibit his claim and receive the fugitive. And with respect to Americans detained on board their ships, the application should still, as heretofore, be made through the Secretary of State, to whom proper documents are to be furnished. But without waiting for his application, the British officer, knowing them to be Americans and freemen, cannot but feel it a duty to restore them to their liberty on their own demand.

2. As to the residue of the British nation, with whom we are as yet in peace, their persons and vessels, unarmed, are free to come into our country with-

out question or molestation. And even armed vessels, in distress, or charged, under due authority, with despatches addressed to the government of the United States, or its authorized agents, are, by a proviso in the proclamation, to be received. This exception was meant to cover the British packets coming to New York, which are generally armed, as well as to keep open, through other channels, the communication between the governments. Such a vessel as the Columbine needs no flag, because she is not included in the interdict. Her repairs and supplies are to be regulated by the collector of the port, who may permit them liberally (if no abuse be justly suspected) so far as wanted to carry her back to the port from whence she came. The articles of intercourse, stay and departure, are to be specially superintended by such person as the government shall authorize and instruct.

I have thus far, in compliance with your request, stated the practice of nations so generally as to meet the cases which may arise in the neighborhood of Norfolk. In doing this, I may, in some cases, have mistaken the practice. Where I have done so, I mean that my opinion shall be subject to correction from that practice. On determining that the militia should be disbanded, except so small a portion as would require only a major to command, we concluded that so long as Captain Decatur should remain in his present station, he should be the officer to receive, authorize and regulate intercourse by flag,

with the British squadron in the Chesapeake. He has accordingly, I expect, received instructions to that effect, from the Secretary of the Navy, and I shall communicate to him a copy of this letter to assist him in that duty.

The Secretary at War, I presume, has written to you on the appointment of a Major to command the militia retained. In your selection of the officer, I have no doubt you will be sensible of the importance of naming one of intelligence and activity, as on him we are to rely for daily information from that interesting quarter.

I salute you with friendship and respect.

TO GOVERNOR MERIWETHER LEWIS.

MONTICELLO, August 8, 1807.

SIR,—I have just now received from the Secretary at War, a letter to him from the Secretary of the territory of Louisiana, requesting him to tender to the President of the United States the services of the members of the Military School of the Mine à Burton, as a volunteer corps, under the late act of Congress, authorizing the acceptance of the services of volunteer corps. As you are now proceeding to take upon you the government of that territory, I pray you to be the bearer of my thanks to them for this offer, and to add the pleasure it gives me to receive further their assurances that they will cordially co-operate in the restoration of that harmony in the territory, so essen-

tial to its happiness, and so much desired by me. They, as well as all the other inhabitants of the territory, may rest satisfied that all the authorities of the General Government entertain towards them the most liberal and paternal dispositions, and wish nothing more ardently than to do for their happiness whatever these dispositions may dictate. Want of information, or misinformation, may defeat their first efforts towards this object, but as they advance in obtaining more correct knowledge of their situation, they will be able to establish for them in the end such regulations as will secure their religious, political and civil rights.

As the direction of the militia will be in your hands, I must request you to exercise for me the powers given by the act above mentioned, respecting volunteers, and to arrange them to the best advantage for the prompt and effectual defence of the territory. I salute you with friendship and respect.

TO THE SECRETARY OF STATE
(JAMES MADISON.)

MONTICELLO, August 9, 1807.

DEAR SIR,—Yours of yesterday was received in the course of the day. Our post-rider has not yet got to be punctual, arriving here from two to four hours later than he should do, that is to say from 3 to 5 o'clock instead of 1. I mean to propose to him that being rigorously punctual in his arrival, I will always discharge him the moment he arrives, instead of

keeping him till 7 o'clock as the postmaster proposes, taking for myself the forenoon of the succeeding day to answer every mail. I do not exactly recollect who of the Heads of departments were present, (but I think every one except Mr. Gallatin,) when, conversing on the bungling conduct of our officers with respect to Erskine's letters, and the more bungling conduct to be expected when the command should devolve on a militia major, Mr. Smith proposed that the whole regulation of flags should be confided to Decatur, which appeared to obtain the immediate assent of all. However, the remedy is easy, and perhaps more proper on the whole. That is, to let the commanding officer by land, as well as the one by water, have equal authority to send and receive flags. I will write accordingly to Governor Cabell. This is the safer, as I believe T. Newton (of Congress) is the Major. General Dearborn has sent me a plan of a war establishment for fifteen thousand regulars for garrisons, and instead of fifteen thousand others, as a disposable force, to substitute thirty-two thousand twelve-month volunteers, to be exercised and paid three months in the year, and consequently the costing no more than eight thousand permanent, giving us the benefit of thirty-two thousand for any expedition, who would be themselves nearly equal to regulars, but could on occasion be put into the garrisons and the regulars employed in the expedition *prima facie*. I like it well. I salute you affectionately.

P. S. The record of the blank commission for Marshal of North Carolina, sent to Governor Alexander, must be filled up with the name of John S. West, the former Marshal, who has agreed to continue.

TO THE SECRETARY OF WAR.

(HENRY DEARBORN.)

MONTICELLO, August 9, 1807.

DEAR SIR.—I received yesterday yours of the 7th, with the proposition for substituting thirty-two thousand twelve-month volunteers instead of fifteen thousand regulars as a disposable force, and I like the idea much. It will of course be a subject of consideration when we all meet again, but I repeat that I like it greatly.

On some occasion, a little before I left Washington, when we were together (all, I think, except Mr. Gallatin, but I am not quite so sure as to yourself as the others), conversing on the bungling business which had been made by the officers commanding at Norfolk, with Erskine's letters, and the more bungling conduct to be expected when the command should devolve on a militia major, Mr. Smith proposed that the whole business of flags should be committed to Decatur. This appeared to obtain at once the general approbation. Thinking it so settled, on lately receiving a letter from Governor Cabell, asking full and explicit instructions as to the mode of intercourse, I endeavored to lay down

the general rules of intercourse by flag, as well digested as I could to meet all cases, but concluded by informing him that that whole business was committed to Decatur. Mr. Madison now informs me that either not recollecting or not understanding this to have been the arrangement, instructions have been given to the officer commanding by land, relative to intercourse, which may produce collision. The remedy I think is easy, and will on the whole place the matter on more proper ground. That is, to give to the commanding officers by land as well as sea, equal authority to send and receive flags. This is the safer, as I see by the papers that Mr Newton (of Congress) is the Major. I shall accordingly write to Governor Cabell to-day to correct the error, and to inform him that the two commanders stand on an equal footing in the direction of flags.

I wrote you yesterday as to the additional company of infantry employed, and shall await your opinion before I say anything on it to the Governor. I salute you affectionately.

TO GOVERNOR WILLIAM H. CABELL.

MONTICELLO, August 9, 1807.

DEAR SIR,—In my letter of the 7th I informed you that on consultation at Washington, it had been concluded best to commit the whole business of flags to Captain Decatur. I now find that I had

not recollected our conclusion correctly, and that it had been understood that the commanding officers by land and water, should have equal authority to license the sending and receiving flags; which is not only proper, but the more satisfactory, as I learn by the papers that Mr. Newton, of Congress, is the commanding Major. Will you be so good as to have him furnished with a copy of my letter, (with a correction of the error,) that he and Captain Decatur may govern themselves by the same rules. I salute you with great esteem and respect.

TO THORNWICK CHASE.

MONTICELLO, August 9, 1807.

SIR,—On receiving tenders of service from various military corps, I have usually addressed the answer to the officer commanding them. Observing in the address of the Master Mariners of Baltimore of July 16th, that being probably unorganized, no commanding officer was named, I considered the first person on the list of subscribers as a kind of foreman, and therefore addressed my answer to him. I now, with pleasure, correct, on reflection, that error, by enclosing a duplicate of the answer to yourself, as the chairman whom they had chosen as the channel of communication, having nothing more at heart than to prove my respect for yourself and the Master Mariners of Baltimore. Accept for yourself and them the assurances of my high consideration.

TO THE SECRETARY OF THE NAVY.

(JACOB CROWNINSHIELD.)

MONTICELLO, August 9, 1807.

DEAR SIR,—Soon after my arrival here I received a letter from Governor Cabell, requesting me to give such instructions for regulating the intercourse with the British squadron as might enable the officers to act correctly. I accordingly undertook to digest the rules of practice, as to flags, as well as I could, and so as to meet all cases, in a letter to the Governor, a copy of which I now enclose you. Soon after sending it, I learnt from Mr. Madison that the arrangement at Washington had not been known or understood to exclude the officer commanding on shore from the right of communicating by flag, and that some particular orders from the War office, respecting Mr. Erskine's letter, might produce a collision. I have therefore written to Governor Cabell, making the correction stated at the foot of the enclosed letter, which is the safer. As Mr. Newton (of Congress) is the Major Commandant ashore, you will see by the letter that I meant to send a copy of it to Captain Decatur, but have thought it more proper to send it you, with a request to forward it, or a copy, to him. Mr. Newton receiving also a copy, they will be enabled to act by one uniform rule. I salute you with affection and respect.

TO THE SECRETARY OF WAR.

(HENRY DEARBORN.)

MONTICELLO, August 11, 1807.

DEAR SIR,—In mine of the day before yesterday, I informed you that to comply with a request of Governor Cabell, I had undertaken to lay down rules of intercourse with the British vessels, at first intended for Captain Decatur only, but afterwards extended with equal power to the officer commanding by land, so that each should have equal power to send and receive flags. I now send you a copy of that letter. Since that I have received from the Governor a letter, pointing out difficulties occurring in the execution of the Volunteer act, from the restriction of issuing commissions until the companies be actually raised, the brigades, etc., organized. Another difficulty, not mentioned in the letter, embarrassed him, with respect to accepting more than the quota of each district. I learnt, through a direct channel, that he was so seriously impressed with these legal obstacles, that no commissions were likely to be issued, and then, certainly, that few volunteers would be raised. In answering his letter, therefore, I have dwelt more on these points than might otherwise have seemed necessary. I enclose the letter for your consideration, that if you find no error in it material enough to require a return of it for correction, you will be so good as to seal and forward it to him without delay. But if

you think anything material in it should be corrected before it is sent, I will pray you to suggest the alteration, and return me the letter. I salute you affectionately.

P. S. Be pleased to return the Governor's letter to me.

TO GOVERNOR WILLIAM H. CABELL.

MONTICELLO, August 11, 1807.

DEAR SIR,—Your favor of the 7th is received It asks my opinion on several points of law arising out of the act of Congress for accepting thirty thousand volunteers. Although your own opinion, and those of some of your counsellors, more recent in the habit of legal investigation, would be a safer guide for you than mine, unassisted by my ordinary and able associates, yet I shall frankly venture my individual thoughts on the subject, and participate with you in any risks of disapprobation to which an honest desire of furthering the public good may expose us.

In the construction of a law, even in judiciary cases of *meum et tuum*, where the opposite parties have a right and counterright in the very words of the law, the Judge considers the intention of the lawgiver as his true guide, and gives to all the parts and expressions of the law, that meaning which will effect, instead of defeating, its intention. But in laws merely executive, where no private right stands in the way, and the public object is the interest of all,

a much freer scope of construction, in favor of the intention of the law, ought to be taken, and ingenuity ever should be exercised in devising constructions, which may save to the public the benefit of the law. Its intention is the important thing: the means of attaining it quite subordinate. It often happens that, the Legislature prescribing details of execution, some circumstance arises, unforeseen or unattended to by them, which would totally frustrate their intention, were their details scrupulously adhered to, and deemed exclusive of all others. But constructions must not be favored which go to defeat instead of furthering the principal object of their law, and to sacrifice the end to the means. It being as evidently their intention that the end shall be attained as that it should be effected by any given means, if both cannot be observed, we are equally free to deviate from the one as the other, and more rational in postponing the means to the end. In the present case, the object of the act of Congress was to relieve the militia at large from the necessity of leaving their farms and families, to encounter a service very repugnant to their habits, and to permit that service to be assumed by others ardently desiring it. Both parties, therefore, (and they comprehend the whole nation,) would willingly waive any verbal difficulties, or circumstances of detail, which might thwart their mutual desires, and would approve all those views of the subject which facilitate the attainment of their wishes.

It is further to be considered that the Constitution gives the executive a general power to carry the laws into execution. If the present law had enacted that the service of thirty thousand volunteers should be accepted, without saying anything of the means, those means would, by the Constitution, have resulted to the discretion of the executive. So if means specified by an act are impracticable, the constitutional power remains, and supplies them. Often the means provided specially are affirmative merely, and, with the constitutional powers, stand well together; so that either may be used, or the one supplementary to the other. This aptitude of means to the end of a law is essentially necessary for those which are executive; otherwise the objection that our government is an impracticable one, would really be verified.

With this general view of our duty as executive officers, I proceed to the questions proposed by you.

1st. Does not the act of Congress contemplate the association of companies to be formed before commissions can be issued to the captains, etc.?

2d. Can battalion or field-officers be appointed by either the State or Congressional laws, but to battalions or regiments actually existing?

3d. The organization of the companies into battalions and regiments belonging to the President, can the Governor of the State issue commissions to these officers before that organization is made and announced to him?

4th. Ought not the volunteers tendering their services, under the act of February 24th, 1807, to be accepted by the President before the commissions can issue?

Had we no other executive powers but those given in this act, the first, second, and third questions would present considerable difficulties, inasmuch as the act of Congress does appear, as you understand it, to contemplate that the companies are to be associated, and the battalions, squadrons, regiments, brigades, and divisions organized, before commissions are to issue. And were we to stop here the law might stop also; because I verily believe that it will be the zeal and activity alone of those destined for commands, which will give form and body to the floating ardor of our countrymen to enter into this service, and bring their wills to a point of union and effect. We know from experience that individuals having the same desires are rarely brought into an association of them, unless urged by some one assuming an agency, and that in military associations the person of the officer is a material inducement. Whether our constitutional powers to carry the laws into execution, would not authorize the issuing a previous commission (as they would, had nothing been said about commissions in the law), is a question not necessary now to be decided; because they certainly allow us to do what will be equally effectual. We may issue instructions or warrants to the persons destined to be captains, etc., authorizing them to

superintend the association of the companies, and to perform the functions of a captain, etc., until commissions may be regularly issued, when such a commission will be given to the bearer, or a warrant authorizing the bearer to superintend the organization of the companies associated in a particular district, into battalions, squadrons, etc., and otherwise to perform the functions of a colonel, etc., until a commission may regularly issue, when such a commission will be given to the bearer. This is certainly within the constitutional powers of the executive, and with such a warrant, I believe, the person bearing it would act with the same effect as if he had the commission.

As to the fourth question, the execution of this law having been transferred to the State executives, I did consider all the powers necessary for its execution as delegated from the President to them. Of this I have been so much persuaded that, to companies offering their services under this law, I have answered that the power of acceptance was in the Governor, and have desired them to renew their offer to him. If the delegation of this power should be expressly made, it is hereby fully delegated.

To the preceding I will add one other observation. As we might still be disappointed in obtaining the whole number of 11,563, were they apportioned among the several districts, and each restrained to its precise apportionment (which some might fail to raise), I think it would better secure the complete

object of the law to accept all proper offers, that the excess of some districts may supply the deficiencies of others. When the acceptances are all brought together, the surplus, if any, will be known, and, if not wanted by the United States, may be rejected; and in doing this, such principles of selection may be adopted as, without any imputation of partiality, may secure to us the best offers. For example, first, we may give a preference to all those who will agree to become regulars, if desired. This is so obviously for the public advantage that no one could object to it. Second, we may give a preference to twelve-month volunteers over those for six months; and other circumstances of selection will of course arise from the face of the offers, such as distribution, geographical position, proportion of cavalry, riflemen, etc.

I have thus, without reserve, expressed my ideas on the several doubts stated in your letters, and I submit them to your consideration. They will need it the more, as the season and other circumstances occasioning the members of the administration to be in a state of separation at this moment, they go without the stamp of their aid and approbation. It is our consolation and encouragement that we are serving a just public, who will be indulgent to any error committed honestly, and relating merely to the means of carrying into effect what they have manifestly willed to be a law.

I salute you with great esteem and respect.

TO THE SECRETARY OF WAR.
(HENRY DEARBORN.)

MONTICELLO, August 12, 1807.

DEAR SIR,—I return you all the papers received in yours of the 9th, except Morrison's letter on the subject of Alston, which, although expressed to be confidential, I send to Mr. Hay under that injunction, merely for his information, should there be other bearings on the same point. In my conscience, I have no doubt as to his participation. To your papers I add some others, particularly respecting the defence of St. Mary's and Beaufort, that you may take them into consideration as a part of the general subject of defence. I sincerely wish this business of levying duty on Creek goods could be stopped. We have no right to make them contribute to the support of our government. The conduct of Captain Isaac is nettling. But what can we do while we are in the wrong? I wonder we hear nothing from Hawkins on the subject. I wish Governor Harrison may be able to have the murder of the Kaskaskian by the Kickapoo settled in the Indian way. I think it would not be amiss for him to bring over Decoigne secretly by a douceur, by which he is easily influenced. I think, too, that if the apprehension of the murderer, Rea, could be effected by our making up Harrison's reward of three hundred dollars to one thousand, it would be well laid out. Both the Indians and our own people want some example of punishment for the murder of an Indian.

With respect to the prophet, if those who are in danger from him would settle it in their own way, it would be their affair. But we should do nothing towards it. That kind of policy is not in the character of our government, and still less of the paternal spirit we wish to show towards that people. But could not Harrison gain over the prophet, who no doubt is a scoundrel, and only needs his price? The best conduct we can pursue to countervail these movements among the Indians, is to confirm our friends by redoubled acts of justice and favor, and to endeavor to draw over the individuals indisposed towards us. The operations we contemplate, should there be occasion for them, would have an imposing effect on their minds, and, if successful, will indeed put them entirely in our power; if no occasion arises for carrying these operations into effect, then we shall have time enough to get the Indian mind to rights. I think it an unlucky time for Governor Hull to press the purchase of their lands, and hope he will not press it. That is the only point on which the Indians feel very sore towards us. If we have war, those lands cannot now be settled; if peace, any future movement will be more favorable.

I really believe that matters in the Chesapeake will remain quiet until further orders from England, and that so soon as you have set all works of preparation into motion, your visit to your family and affairs may be safely made. Be so good as to inform me how I am to address let-

ters which I wish to go to yourself personally during your absence.

Wishing you a happy meeting with your friends, I salute you with affection and respect.

TO THE SECRETARY OF STATE.

(JAMES MADISON.)

MONTICELLO, August 16, 1807.

DEAR SIR,—I received yesterday your two letters without date, on the subjects now to be answered. I do not see any objection to the appointment of Mr. Cocke, as agent at Martinique. That of a consul at Mogadore is on more difficult ground. A consul in Barbary is a diplomatic character; although the title does not imply that. He receives a salary fixed by the Legislature; being independent of Simpson, we should have two ministers to the same sovereign. I should therefore think it better to leave the port of Mogadore to an agent of Simpson's appointment, and under his control.

If anything Thrasonic and foolish from Spain could add to my contempt of that government, it would be the demand of satisfaction now made by Foronda. However, respect to ourselves requires that the answer should be decent, and I think it fortunate that this opportunity is given to make a strong declaration of facts, to wit, how far our knowledge of Miranda's objects went, what measures we took to prevent anything further, the negli-

gence of the Spanish agents to give us earlier notice, the measures we took for punishing those guilty, and our quiet abandonment of those taken by the Spaniards. But I would not say a word in recrimination as to the western intrigues of Spain. I think that is the snare intended by this protest, to make it a set-off for the other. As soon as we have all the proofs of the western intrigues, let us make a remonstrance and demand of satisfaction, and, if Congress approves, we may in the same instant make reprisals on the Floridas, until satisfaction for that and for spoliations, and until a settlement of boundary. I had rather have war against Spain than not, if we go to war against England. Our southern defensive force can take the Floridas, volunteers for a Mexican army will flock to our standard, and rich pabulum will be offered to our privateers in the plunder of their commerce and coasts. Probably Cuba would add itself to our confederation. The paper in answer to Florida should, I think, be drawn with a view to its being laid before Congress, and published to the world as our justification against the imputation of participation in Miranda's projects.

TO COLONEL ROBERT FULTON.

MONTICELLO, August 16, 1807.

SIR,—Your letter of July 28th, came to hand just as I was about leaving Washington, and it has not been sooner in my power to acknowledge it. I

consider your torpedoes as very valuable means of the defence of harbors, and have no doubt that we should adopt them to a considerable degree. Not that I go the whole length (as I believe you do) of considering them as solely to be relied on. Neither a nation nor those entrusted with its affairs, could be justifiable, however sanguine its expectations, in trusting solely to an engine not yet sufficiently tried, under all the circumstances which may occur, and against which we know not as yet what means of parrying may be devised. If, indeed, the mode of attaching them to the cable of a ship be the only one proposed, modes of prevention cannot be difficult. But I have ever looked to the submarine boat as most to be depended on for attaching them, and though I see no mention of it in your letter, or your publications, I am in hopes it is not abandoned as impracticable. I should wish to see a corps of young men trained to this service. It would belong to the engineers if at hand, but being nautical, I suppose we must have a corps of naval engineers, to practise and use them. I do not know whether we have authority to put any part of our existing naval establishment in a course of training, but it shall be the subject of a consultation with the Secretary of the Navy. General Dearborn has informed you of the urgency of our want of you at New Orleans for the locks there.

I salute you with great respect and esteem.

TO GOVERNOR WILLIAM H. CABELL.

MONTICELLO, August 17, 1807.

DEAR SIR,—Your favors of the 11th, 12th, and 14th were received yesterday, being the first day for some days past that the obstruction of the water-courses has permitted the post to come through. I now return you the letters of General Matthews and Captain Hardy; I enclose you also two offers of volunteers from Montgomery and Fauquier counties, because they are expressly made under the late act of Congress. I have received a great number of tenders of service at a moment's warning, which, appearing to me to have relation merely to the repelling invasion in the quarter lately violated, and not to intend an absolute engagement for twelve months, I have only accepted generally and vaguely, without relation to the Volunteer Act.

Your letter mentioning the calling into service near the Capes, a company of Infantry, I enclosed to the Secretary at War for his information and opinion, and received his answer yesterday. Your observations satisfy him that Infantry alone can be effectual in that station, and induce him to think that the company of Infantry should be a substitute for that of Cavalry, and that the latter should be discharged. To the weight of his opinion and advice, as the head of the department, is added the apparent fact that the British squadron means to be quiet till orders from England, an intention much

strengthened by the complexion of Captain Hardy's letter now returned. The duty therefore of husbanding our resources for the moment of real want, requires that I should approve his opinion, and recommend the discharge of the troop of Cavalry. The company of Infantry will be as vigilant as they can to cut off supplies from the squadron, according to the proclamation; and it is proper that a daily express from the station of the company to the Norfolk Post Office should be established under your Excellency's direction. I salute you with great esteem and respect.

TO THE SECRETARY OF WAR.

(HENRY DEARBORN.)

MONTICELLO, August 18, 1807.

DEAR SIR,—Yours of the 14th and 15th were received yesterday. The former is now returned. I shall, in answer to Mr. Nicholas, say that we cannot lend arms but to volunteers training for immediate service, and that as to a deposit in his neighborhood, we shall in due time take up that subject generally, when just attention will be paid to that section of our country. Our separation at this time having been agreed on, I supposed it equally settled as to yourself that you also would take a recess as soon as the affairs of your office would permit; and that no further approbation on my part could be wanting. However, if it were, I hope you considered my letter of the 12th as expressing it fully, so as not to permit

yourself to be detained for anything further. Wishing you a pleasant journey and happy meeting with your family, I salute you with affection.

TO THE SECRETARY OF STATE.

(JAMES MADISON.)

MONTICELLO, August 18, 1807.

DEAR SIR,—I return you the papers received yesterday. Mr. Erskine complains of a want of communication between the British armed vessels *in the* Chesapeake, or *off* the coast. If, by *off* the coast, he means those which, being generally in our waters, go occasionally out of them to cruise or to acquire a title to communicate with their consul, it is too poor an evasion for him to expect us to be the dupes of. If vessels *off* the coast, and having never violated the proclamation, wish to communicate with their consul, they may send in by any vessel, without a flag. He gives a proof of their readiness to restore deserters, from an instance of the Chichester lying along-side a wharf at Norfolk. It would have been as applicable if Captain Stopfield and his men had been in a tavern at Norfolk. All this, too, a British sergeant *is ready* to swear to; and further, that he saw British deserters enlisted in their British uniform, by our officer. As this fact is probably false, and can easily be inquired into, names being given, and as the story of the Chichester can be ascertained by Captain Saunders, suppose you

send a copy of the paper to the Secretary of the Navy, and recommend to him having an inquiry made. We ought gladly to procure evidence to hang the privates, if no objection or difficulty occur from the place of trial. If the Driver is the scene of trial, where is she? if in our waters, we can have no communication with her, if out of them, it may be inconvenient to send the witnesses. Although there is neither candor nor dignity in soliciting the victualling the Columbine for four months for a voyage of ten days, yet I think you had better give the permission. It is not by these huckstering manœuvres that the great national question is to be settled. I salute you affectionately.

TO JOHN NICHOLAS.

MONTICELLO, August 18, 1807.

DEAR SIR,—Your favor of the 2d did not reach me till yesterday. That from General Hall, communicating the patriotic resolutions of the county of Ontario, was received the day before. Considering war as one of the alternatives which Congress may adopt on the failure of proper satisfaction for the outrages committed on us by Great Britain, I have thought it my duty to put into train every preparation for that which the executive powers, and the interval left for their exercise, will admit of.

Whenever militia take the field of actual service, the deficiencies of their arms are of course supplied

from the public magazines, and the law also permits us to lend arms to *volunteers* engaged, and training for immediate service. In no case is the loan of arms to militia, remaining at home, permitted or practiced.

The establishment of deposits of arms, to be resorted to when occasion presses, is within the executive direction. A distribution of these deposits, wherever there may be occasion, and in proportion to the probable occasion, either defensive or offensive, is one of the branches of preparation which circumstances call on us to make. It will be done in due time; and although nothing specific can now be said, yet I may safely assure you, that, whenever we proceed to settle the general arrangement, the section of country which is the subject of your letter, shall receive a just portion of our attention and provisions.

I learn with particular satisfaction that volunteers will be readily engaged on that part of our frontier. It is a quarter in which they will be particularly useful. I presume that, in consequence of the call on the several States, the Governor will have put the engagement of volunteers into such a course as will avail us of the favorable disposition which prevails towards that service. I salute you with great esteem and respect.

TO JAMES MADISON.

August 19, 1807.

I suppose Mr. Gamble should be told that his opinion in favor of the appointment of a Consul

General for the Danish islands being founded on the supposition of a war with England, the executive cannot at present act on that ground. It would seem indeed, that in the event of war, our agent or agents in those islands would be very important persons, and should therefore be chosen with care. I presume it would become the best office in the gift of the United States.

It will be very difficult to answer Mr. Erskine's demand respecting the water casks in the tone proper for such a demand. I have heard of one who, having broke his cane over the head of another, demanded payment for his cane. This demand might well enough have made part of an offer to pay the damages done to the Chesapeake, and to deliver up the authors of the murders committed on board her. I return you the papers received yesterday. The Governor has enclosed me a letter from General Matthews of August 13th, mentioning the recent arrival of a ship in the Chesapeake, bearing the flag of a Vice-Admiral; from whence he concludes that Barclay is arrived. I salute you affectionately.

TO GOVERNOR WILLIAM H. CABELL.

MONTICELLO, August 19, 1807.

DEAR SIR,—I return you the papers received in your letter of the 16th. The Secretary of State communicated to me yesterday a letter from Mr.

Erskine, containing assurances from Governor Thomas Hardy, that he should carefully abstain from acts of violence unless he received orders from his superiors. Although Barclay's character does not give the same confidence, yet I see no reason to doubt that matters will continue, in the Chesapeake, in their present train until they receive orders from their government.

I salute you with esteem and respect.

TO GOVERNOR WILLIAM H. CABELL.

MONTICELLO, August 19, 1807.

DEAR SIR,—Your letters of August 11th, 12th, 13th, had been before acknowledged, and in mine of this morning I acknowledged yours of the 16th, and returned the papers enclosed in it. Since writing that, I have received another letter of yours of August 11th, which, by an error of the post office, had been sent to a wrong office. I now enclose the papers received in that. They call but for one observation, which is, that the mode of communication by flag, as before directed, must be adhered to. Although credit and indulgence is due to the liberality of Governor T. Hardy, yet armed vessels remaining within our jurisdiction in defiance of the authority of the laws, must be viewed either as rebels, or public enemies. The latter character, it is most expedient to ascribe to them; the laws of intercourse with persons of that description are fixed

and known. If we relinquish them we shall have a new code to settle with those individual offenders, with whom self respect forbids any intercourse but merely for purposes of humanity. A letter which I wrote to the Secretary of State on the 17th, expressed my opinion that we should not higgle with the Columbine as to the quantity of supplies, but let her have what she wants.

These small distresses contribute nothing to the bringing an enemy to reason. It should not be till an abuse of this liberality has taken place, that we should be rigorous in the quantum of supplies. I salute you with great esteem and respect.

TO THE SECRETARY OF THE NAVY.

(JACOB CROWNINSHIELD.)

MONTICELLO, August 20, 1807.

DEAR SIR,—Mr. Appleton, the writer of the enclosed letter, was well known to me at Paris, but not as a man of business. He was young, handsome, and devoted to pleasant pursuits. He is now probably forty-five, and has since been in business, but with what qualifications or success I know not. He was our consul at Calais, his brother is our consul at Leghorn, and his father is (if living) a respectable merchant at Boston. All this leaves still room for inquiry whether he is fit for your agent. While on the subject, if you should be on the look-out, it may be worth your while to inquire after a Colonel Dowse (of the same town with Fisher Ames). He

is a scientific navigator, has made voyages to the East Indies, is a sensible and most upright man, a little too much wrapt up in religious reveries. He has been most firm in his republicanism through all the storms and trials which those sentiments have been exposed to in that State. I write all this from my own knowledge of him; but I do not know he would accept the place and quit the retirement in which he has now been several years.

I enclose you the copy of a letter I wrote Mr. Fulton. I wait his answer as to the submarine boat, before I make you the proposition in form. The very name of a corps of submarine engineers would be a defence. Mr. Nicholas and his family left this neighborhood in health the day I arrived in it. We do not give up the hope of seeing Mrs. Smith and yourself here. I salute you with affection and respect.

TO THE SECRETARY OF THE TREASURY.

(ALBERT GALLATIN.)

MONTICELLO, August 20, 1807.

DEAR SIR,—On the death of Imlay, loan officer of Connecticut, Jonathan Bull (Judge Bull) is well recommended as his successor by a number of republicans, and by Mr. Wolcott, in a special letter. A Ralph Pomeroy, of Hartford, solicits it for himself, but sends no recommendations. Those of Bull would leave me with little doubt of the propriety of his nomination; but as you can so conveniently

make inquiry respecting him, I will pray you to do it, and to communicate the result to me with as little delay as convenient, in order to preclude other solicitations.

All my information from the Capes of Chesapeake, confirms the opinion that the present quiet train of things there is to be continued till further orders. The interdicted officers are extremely averse to our mode of communication by flag. But being considered as enemies rather than rebels, while here in defiance, no other communication will be allowed. Burr's trial goes on to the astonishment of all, as to the manner of conducting it. I salute you with affection and respect.

TO JAMES MADISON.

MONTICELLO, August 20, 1807.

Your letter to Dayton I think perfectly right, unless, perhaps, the expression of personal sympathy in the first page might be misconstrued, and, coupled with the circumstance that we had not yet instituted a prosecution against him, although possessed of evidence. Poor Yznardi seems to have been worked up into distraction by the persecutions of Meade. I enclose you a letter I have received from him. Also one from Warden, attested by Armstrong, by which you will see that the feuds there are not subsiding.

By yesterday's, or this day's mails, you will have

received the information that Bonaparte has annihilated the allied armies. The result will doubtless be peace on the continent, an army despatched through Persia to India, and the main army brought back to their former position on the channel. This will oblige England to withdraw everything home, and leave us an open field. An account, apparently worthy of credit, in the Albany paper, is, that the British are withdrawing all their cannon and magazines from Upper Canada to Quebec, considering the former not tenable, and the latter their only fast-hold.

I salute you with sincere affection.

P. S. I had forgotten to express my opinion that deserters ought never to be enlisted; but I think you may go further and say to Erskine, that if ever such a practice has prevailed, it has been without the knowledge of the Government, and would have been forbidden, if known, and if any examples of it have existed, (which is doubted,) they must have been few, or they would have become known. The case presented from the Chichester, if true, does not prove the contrary, as the persons there said to have been enlisted are believed to have been American citizens, who, whether impressed or enlisted into the British service, were equally right in returning to the duties they owed to their own country.

TO THE SECRETARY OF STATE.

(JAMES MADISON.)

MONTICELLO, August 20, 1807.

DEAR SIR,—Colonel Newton's inquiries are easily solved, I think, by application of the principles we have assumed. 1. The *interdicted* ships are *enemies*. Should they be forced, by stress of weather, to run up into safer harbors, we are to act towards them as we would towards enemies in regular war, in like case. Permit no intercourse, no supplies; and if they land, kill or capture them as enemies. If they lie still, Decatur has orders not to attack them without stating the case to me, and awaiting instructions. But if they attempt to enter Elizabeth river, he is to attack them without waiting for instructions. 2. Other armed vessels, putting in from sea in distress, are *friends*. They must report themselves to the collector, he assigns them their station, and regulates their repairs, supplies, intercourse and stay. Not needing flags, they are under the direction of the collector alone, who should be reasonably liberal as to their repairs and supplies, furnishing them for a voyage to any of their American ports; but I think with him their crews should be kept on board, and that they should not enter Elizabeth river.

I remember Mr. Gallatin expressed an opinion that our negotiations with England should not be laid before Congress at their meeting, but reserved to

be communicated all together with the answer they should send us, whenever received. I am not of this opinion. I think, on the meeting of Congress, we should lay before them everything that has passed to that day, and place them on the same ground of information we are on ourselves. They will then have time to bring their minds to the same state of things with ours, and when the answer arrives, we shall all view it from the same position. I think, therefore, you should order the whole of the negotiation to be prepared in two copies. I salute you affectionately.

TO GEORGE HAY.

MONTICELLO, August 20, 1807.

DEAR SIR,—I received yesterday your favor of the 11th. An error of the post office had occasioned the delay. Before an impartial jury, Burr's conduct would convict himself, were not one word of testimony to be offered against him. But to what a state will our law be reduced by party feelings in those who administer it? Why do not Blennerhasset, Dayton, etc., demand private and comfortable lodgings? In a country where an equal application of law to every condition of man is fundamental, how could it be denied to them? How can it ever be denied to the most degraded malefactor? The enclosed letter of James Morrison, covering a copy of one from Alston to Blenner-

hasset, came to hand yesterday. I enclose them, because it is proper all these papers should be in one deposit, and because you should know the case and all its bearings, that you may understand whatever turns up in the cause. Whether the opinion of the letter writer is sound, may be doubted. For, however these, and other circumstances which have come to us, may induce us to believe that the bouncing letter he published, and the insolent one he wrote to me, were intended as blinds, yet they are not sufficient for legal conviction. Blennerhasset and his wife could possibly tell us enough. I commiserate the suffering you have to go through in such a season, and salute you with great esteem and respect.

TO THE SECRETARY OF WAR.

(HENRY DEARBORN.)

MONTICELLO, August 28, 1807.

DEAR SIR,—I had had the letter of Mr. Jouett of July 6th from Chicago, and that from Governor Hull, of July 14th, from Detroit, under consideration some days, when the day before yesterday I received that of the Governor of July 25th.

While it appeared that the workings among the Indians of that neighborhood proceeded from their prophet chiefly, and that his endeavors were directed to the restoring them to their ancient mode of life, to the feeding and clothing themselves with the produce of the chase, and refusing all those articles

of meat, drink, and clothing, which they can only obtain from the whites, and are now rendered necessary by habit, I thought it a transient enthusiasm, which, if let alone, would evaporate innocently of itself; although visibly tinctured with a partiality against the United States. But the letters and documents now enclosed give to the state of things there a more serious aspect; and the visit of the Governor of Upper Canada, and assembling of the Indians by him, indicate the object to which these movements are to point. I think, therefore, we can no longer leave them to their own course, but that we should immediately prepare for war in that quarter, and at the same time redouble our efforts for peace.

I propose, therefore, that the Governors of Michigan, Ohio, and Indiana, be instructed immediately to have designated, according to law, such proportions of their militia as you shall think advisable, to be ready for service at a moment's warning, recommending to them to prefer volunteers as far as they can be obtained, and of that description fitted for Indian service.

That sufficient stores of arms, ammunition and provision, be deposited in convenient places for any expedition which it may be necessary to undertake in that quarter, and for the defence of the posts and settlements there; and that the object of these preparations be openly declared, as well to let the Indians understand the danger they are bringing on themselves, as to lull the suspicion of any other object.

That at the same time, and while these preparations for war are openly going on, Governors Hull and Harrison be instructed to have interviews by themselves or well-chosen agents, with the chiefs of the several tribes in that quarter, to recall to their minds the paternal policy pursued towards them by the United States, and still meant to be pursued. That we never wished to do them an injury, but on the contrary, to give them all the assistance in our power towards improving their condition, and enabling them to support themselves and their families; that a misunderstanding having arisen between the United States and the English, war may possibly ensue. That in this war it is our wish the Indians should be quiet spectators, not wasting their blood in quarrels which do not concern them; that we are strong enough to fight our own battles, and therefore ask no help; and if the English should ask theirs, it should convince them that it proceeds from a sense of their own weakness which would not augur success in the end; that at the same time, as we have learnt that some tribes are already expressing intentions hostile to the United States, we think it proper to apprise them of the ground on which they now stand; for which purpose we make to them this solemn declaration of our unalterable determination, that we wish them to live in peace with all nations as well as with us, and we have no intention ever to strike them or to do them an injury of any sort, unless first attacked or threatened;

but that learning that some of them meditate war on us, we too are preparing for war against those, and those only who shall seek it; and that if ever we are constrained to lift the hatchet against any tribe, we will never lay it down till that tribe is exterminated, or driven beyond the Mississippi. Adjuring them, therefore, if they wish to remain on the land which covers the bones of their fathers, to keep the peace with a people who ask their friendship without needing it, who wish to avoid war without fearing it. In war, they will kill some of us; we shall destroy all of them. Let them then continue quiet at home, take care of their women and children, and remove from among them the agents of any nation persuading them to war, and let them declare to us explicitly and categorically that they will do this: in which case, they will have nothing to fear from the preparations we are now unwillingly making to secure our own safety?

These ideas may form the substance of speeches to be made to them, only varying therein according to the particular circumstances and dispositions of particular tribes; softening them to some, and strengthening them as to others. I presume, too, that such presents as would show a friendly liberality should at the same time be made to those who unequivocally manifest intentions to remain friends; and as to those who indicate contrary intentions, the preparations made should immediately look towards them; and it will be a subject for consideration

whether, on satisfactory evidence that any tribe means to strike us, we shall not anticipate by giving them the first blow, before matters between us and England are so far advanced as that their troops or subjects should dare to join the Indians against us. It will make a powerful impression on the Indians, if those who spur them on to war, see them destroyed without yielding them any aid. To decide on this, the Governors of Michigan and Indiana should give us weekly information, and the Postmaster General should immediately put the line of posts to Detroit into the most rapid motion. Attention, too, is requisite to the safety of the post at Michillimacinac.

I send this letter open to the Secretary of State, with a desire that, with the documents, it may be forwarded to the Secretary of the Navy, at Baltimore, the Attorney General, at Wilmington, the Secretary of the Treasury, at New York, and finally to yourself; that it may be considered only as the origination of a proposition to which I wish each of them to propose such amendments as their judgment shall approve, to be addressed to yourself; and that from all our opinions you will make up a general one, and act on it without waiting to refer it back to me.

I salute you with great affection and respect.

TO THE SECRETARY OF STATE.

(JAMES MADISON.)

MONTICELLO, August 30, 1807.

DEAR SIR,—There can be no doubt that Fronda's claim for the money advanced to Lieutenant Pike should be repaid, and while his application to yourself is the proper one, we must attend to the moneys being drawn from the proper fund, which is that of the war department. I presume, therefore, it will be necessary for you to apply to General Dearborn to furnish the money. Will it not be proper to rebut Fronda's charge of this government sending a spy to Santa Fé, by saying that this government has never employed a spy in any case, and that Pike's mission was to ascend the Arkansas and descend the Red river, for the purpose of ascertaining their geography; that, as far as we are yet informed, he entered the waters of the North river, believing them to be those of the Red river; and that, however certain we are of a right extending to the North river, and participating of its navigation with Spain, yet Pike's voyage was not intended as an exercise of that right, which we notice here, merely because he had chosen to deny it; a question to be settled in another way.

From the present state of the tranquillity in the Chesapeake, and the probability of its continuance, I begin to think the daily mail may soon be discontinued, and an extra mail once a week substituted, to leave Fredericksburg Sunday morning, and

Milton Wednesday morning. This will give us two mails a week. I should propose this change for September 9th, which is the day I set out for Bedford, and will exactly close one month of daily mail. What do you think of it? Affectionate salutations.

TO THE SECRETARY OF WAR.
(HENRY DEARBORN.)

MONTICELLO, August 31, 1807.

DEAR SIR,—Mr. Madison will have written to you on the subject of a demand of $1,000 furnished to Lieutenant Pike, to be repaid to Fronda, which of course must come out of the military fund.

I enclose you an application from Mr. Graham for a commission in the army for a Mr. Lithgow, relation of Mr. Henderson, who solicits it, and who, I think, has a just claim for the gratification.

I enclose you also a letter from Captain Brent to Mr. Coles on the subject of their commissions. They presented to me a list of names engaged, and of the officers they had chosen. I do not remember the words of my answer; but the idea meant to be expressed was only that the officers should be commissioned. I had no idea of fixing a date for them before they should have raised what could be accepted as a troop. They seem to have understood the date of my acceptance as the proper date of their commissions. I told Mr. Coles I would consult you; and that my own idea was to inquire what was the smallest number ever admitted as a

troop or company, and let their commissions have the date of the day on which they had engaged that number. This may be the subject of conversation when we meet.

I send you a paper on the defence of the mouth of the Chesapeake. We never expect from the writer a detailed, well-digested and practicable plan; but good ideas and susceptible of improvement sometimes escape from him. The first question is, whether works on the shore of Lynhaven may not be constructed for dislodging an enemy from that bay by throwing bombs? and whether they can lie there in safety out of the reach of bombs? There is no other place where they can lie in safety so near the Capes, not to be in danger of being intercepted by gunboats, and attacked with the advantage of weather. 2d. May not artificial harbors be made on the middle grounds and Horseshoe for the reception of gunboats, with cavaliers for the discharge of bombs? and will not these two points and Lynhaven thus command all the mouth of the bay? To answer these questions will require an accurate survey of the whole field, which, if we have not, we should direct to be made. It is an important fact that the middle grounds have been seen bare; and that both these and the Horseshoe are always shoal. Cannot cassoons filled with stone, and of the shape of truncated wedges, be sunk there in close order so as to enclose a harbor for gunboats, of such a height as that the sea shall not go over it in the highest

tides, and of base proportioned to the height and sufficient to resist the force of the water? The nearest stone is up James river above the Hundred, and up York river above West Point, from whence however it can be brought in ships of size. At New York, they calculate on depositing their stone for from 4 to 5 cents the cubic foot. If it costs the double here, the amount would not be disproportioned to the object, if we consider what a vast extent of coast on the Chesapeake and its waters will otherwise be depredated or secured by works and troops in detail. I throw out these thoughts now that they may be under your consideration, while making up the general statement of defensive works for the seacoast. Present my respects to Mrs. Dearborn, and accept my affectionate salutations.

TO THE SECRETARY OF STATE.

(JAMES MADISON.)

MONTICELLO, September 1, 1807.

DEAR SIR,—I think with you we had better send to Algiers some of the losing articles in order to secure peace there while it is uncertain elsewhere. While war with England is probable, everything leading to it with every other nation should be avoided, except with Spain. As to her, I think it the precise moment when we should declare to the French government that we will instantly seize on the Floridas as reprisal for the spoliations denied

us, and, that if by a given day they are paid to us, we will restore all east of the Perdido, and hold the rest subject to amicable discussion. Otherwise, we will hold them forever as compensation for the spoliations. This to be a subject of consideration when we assemble.

One reason for suggesting the discontinuance of the daily post was, that it is not kept up by contract, but at the expense of the United States. But the principal reason was to avoid giving ground for clamor. The general idea is, that those who receive annual compensations should be constantly at their posts. Our constituents might not in the first moment consider 1st, that we all have property to take care of, which we cannot abandon for temporary salaries; 2d, that we have health to take care of, which at this season cannot be preserved at Washington; 3d, that while at our separate homes our public duties are fully executed, and at much greater personal labor than while we are together when a short conference saves a long letter. I am aware that in the present crisis some incident might turn up where a day's delay might infinitely overweigh a month's expense of the daily post. Affectionate salutations.

TO THOMAS COOPER.

MONTICELLO, September 1, 1807.

DEAR SIR,—Your favor of the 9th is received, and with it the copy of Dr. Priestley's Memoirs, for

which I return you many thanks. I shall read them with great pleasure, as I revered the character of no man living more than his. With another part of your letter I am sensibly affected. I have not here my correspondence with Governor McKean to turn to, but I have no reason to doubt that the particular letter referred to may have been silent on the subject of your appointment as stated. The facts are these: The opinion I have ever entertained, and still entertain as strongly as ever, of your abilities and integrity, was such as made it my wish, from the moment I came to the administration, that you should be employed in some public way. On a review, however, of all circumstances, it appeared to me that the State of Pennsylvania had occasions for your service, which would be more acceptable than any others to yourself because they would leave you in the enjoyment of the society of Dr. Priestley, to which your attachment was known. I therefore expressed my solicitude respecting you to Governor McKean, whose desires to serve yourself and the public by employing you I knew to be great, and of course that you were an object of mutual concern, and I received his information of having found employment for your talents with the sincerest pleasure. But pressed as I am perpetually by an overflow of business, and adopting from necessity the rule of never answering any letter, or part of a letter, which can do without answer, in replying to his which related to other subjects, I probably said

nothing on that, because my former letter had sufficiently manifested how pleasing the circumstance must be to me, and my time and practice did not permit me to be repeating things already said. This is a candid statement of that incident, and I hope you will see in it a silence accounted for on grounds far different from that of a continuance of my estimation and good wishes, which have experienced no change. With respect to the schism among the republicans in your State, I have ever declared to both parties that I consider the general government as bound to take no part in it, and I have carefully kept both my judgment, my affections, and my conduct, clear of all bias to either. It is true, as you have heard, that a distance has taken place between Mr. Clay and myself. The cause I never could learn nor imagine. I had always known him to be an able man, and I believed him an honest one. I had looked to his coming into Congress with an entire belief that he would be cordial with the administration, and even before that I had always had him in my mind for a high and important vacancy which had been from time to time expected, but is only now about to take place. I feel his loss, therefore, with real concern, but it is irremediable from the necessity of harmony and cordiality between those who are to manage together the public concerns. Not only his withdrawing from the usual civilities of intercourse with me, (which even the federalists with

two or three exceptions keep up,) but his open hostility in Congress to the administration, leave no doubt of the state of his mind as a fact, although the cause be unknown. Be so good as to communicate my respects to Mr. Priestley, and to accept yourself my friendly salutations, and assurances of unaltered esteem.

TO THE SECRETARY OF WAR.

(HENRY DEARBORN.)

MONTICELLO, September 2, 1807.

DEAR SIR,—My letter of August 28th, on the dispositions of the Indians, was to go the rounds of all our brethren, and to be finally sent to you with their separate opinions. I think it probable, therefore, that the enclosed extract of a letter from a priest at Detroit to Bishop Carroll, may reach you as soon, or sooner, than that. I therefore forward it, because it throws rather a different light on the dispositions of the Indians from that given by Hull and Dunham. I do not think, however, that it ought to slacken our operations, because those proposed are all precautionary. But it ought absolutely to stop our negotiations for land, otherwise the Indians will think that these preparations are meant to intimidate them into a sale of their lands, an idea which would be most pernicious, and would poison all our professions of friendship to them. The immediate acquisition of the land is of less consequence to us than their friendship and a

thorough confidence in our justice. We had better let the purchase lie till they are in better temper. I salute you with affection and respect.

TO THE SECRETARY OF THE NAVY.
(JACOB CROWNINSHIELD.)

MONTICELLO, September 3, 1807.

DEAR SIR,—Your letters of August 23d, 27th, 29th, and 30th, have all been received; the two last came yesterday. I observe that the merchants of New York and Philadelphia think that notice of our present crisis with England should be sent to the Straits of Sunda by a public ship, but that such a vessel going to Calcutta, or into the Bay of Bengal, would give injurious alarm; while those of Baltimore think such a vessel going to the Straits of Sunda would have the same effect. Your proposition, very happily in my opinion, avoids the objections of all parties; will do what some think useful and none think injurious. I therefore approve of it. To wit, that by some of the private vessels now going, instruction from the Department of State be sent to our Consul at the Isle of France, to take proper measures to advise all our returning vessels, as far as he can, to be on their guard against the English, and that we now appoint and send a Consul to Batavia, to give the same notice to our vessels returning through the Straits of Sunda. For this purpose I sign a blank sheet of paper, over which signature the Secretary of State will have a consular

commission written, leaving a blank for the name to be filled up by yourself with the name of such discreet and proper person as shall be willing to go. If he does not mean to reside there as Consul, we must bear his expenses out and in, and compensate his time. I presume you will receive this commis-- sion, and the papers you sent me through the Secretary of State, on the 8th.

I approve of the orders you gave for intercepting the pirates, and that they were given as the occasion required, without waiting to consult me, which would have defeated the object. I am very glad indeed that the piratical vessel and some of the crew have been taken, and hope the whole will be taken; and that this has been done by the militia. It will contribute to show the expediency of an organized naval militia.

I send you the extract of a letter I lately wrote to General Dearborn on the defence of the Chesapeake. Your situation will better enable you to make inquiries into the practicability of the plan than he can. If practicable, it is all-important.

I do not see the probability of receiving from Great Britain reparation for the wrong committed on the Chesapeake, and future security for our seamen, in the same favorable light with Mr. Gallatin and yourself. If, indeed, the consequence of the battle of Friedland can be to exclude her from the Baltic, she may temporize with us. But if peace among the *continental* powers of Europe should leave her

free in her intercourse with the powers who will then be *neutral*, the present ministry, perhaps no ministry which can now be formed, will not in my opinion give us the necessary assurance respecting our flag. In that case, it must bring on a war soon, and if so, it can never be in a better time for us. I look to this, therefore, as most probably now to take place, altogether I do most sincerely wish that a just and sufficient security may be given us, and such an interruption of our property avoided. I salute you with affection and respect.

TO THE SECRETARY OF STATE.

(JAMES MADISON.)

MONTICELLO, September 3, 1807.

DEAR SIR,—Mr. Smith's letter of August 29th and the papers it enclosed, and which are now re-enclosed, will explain to you the necessity of my confirming his proposition as to the means of apprising our East India commerce of their danger, without waiting for further opinions on the subject. You will see that it throws on you the immediate burden of giving the necessary instructions with as little delay as possible, lest the occasion by the vessels now sailing should be lost. Be so good as to return me his two letters, and to seal and forward on to him mine, and the other papers. Affectionate salutations.

TO THE SECRETARY OF STATE.

MONTICELLO, September 3, 1807.

DEAR SIR,—After writing to Mr. Smith my letter of yesterday, by the post of that day, I received one from him now enclosed, and covering a letter from Mr. Crownenshield on the subject of notifying our East India trade. To this I have written the answer herein, which I have left open for your perusal, with Crownenshield's letter, praying that you will seal and forward them immediately, with any considerations of your own, addressed to Mr. Smith, which may aid him in the decision I refer to him. I do not give to the newspaper and parliamentary scraps the same importance you do. I think they all refer to the convention of limits sent us in the form of a project, brought forward only as a sop of the moment for Parliament and the public. Nothing but an exclusion of Great Britain from the Baltic will dispose her to peace with us, and to defer her policy of subsisting her navy by the general plunder of nations.

TO THE SECRETARY OF THE NAVY.

(JACOB CROWNINSHIELD.)

MONTICELLO, September 4, 1807.

DEAR SIR,—I had written to you yesterday on the subject of notifying our East India trade, in answer to yours of the 29th of August, and approving your proposition of giving the notice to our

trade beyond the Straits of Sunda, by a consul specially sent to Batavia, and to that on this side by our consul at the Isle of France. Since writing that letter, I have received yours of the 31st, covering Mr. Crownenshield's. This letter shows a great and intimate knowledge of the subject, and points out so many various circumstances which may require a variation in the course to be pursued, that it confirms me in the opinion that it must be confided to the discretion of a well-chosen agent, governing himself by circumstances as they may occur. I think it possible, however, from Mr. Crownenshield's letter, that we may not have done the best in our power for notifying Madras, and the other ports in the Bay of Bengal. I refer it to yourself, therefore, to decide on the advice you can so readily get at Baltimore, whether we should not despatch a third person, with instructions to procure himself a passage in any private vessel which may be going from this country to any port in the Bay of Bengal, or to any other port from which he can probably get a passage to some port in the Bay of Bengal, and from whence he can notify the other ports in the same bay, either by personally visiting them or by writing. Such a person should carry with him your commission as an agent of the navy, to obtain credence by secretly exhibiting that to those he should notify. I return you Mr. Crownenshield's and Mr. Gallatin's letters. I shall be absent from this place from the 9th to the 16th inst. Mr. Madi-

son will be with me to-morrow, on a visit of some days. I salute you with affection and respect.

TO GEORGE HAY.

MONTICELLO, September 4, 1807.

DEAR SIR,—Yours of the 1st came to hand yesterday. The event has been * * * * * * * * * that is to say, not only to clear Burr, but to prevent the evidence from ever going before the world. But this latter case must not take place. It is now, therefore, more than ever indispensable, that not a single witness be paid or permitted to depart until his testimony has been committed to writing, either as delivered in court, or as taken by yourself in the presence of any of Burr's counsel, who may choose to attend to cross-examine. These whole proceedings will be laid before Congress, that they may decide, whether the defect has been in the evidence of guilt, or in the law, or in the application of the law, and that they may provide the proper remedy for the past and the future. I must pray you also to have an authentic copy of the record made out (without saying for what) and to send it to me; if the Judge's opinions make out a part of it, then I must ask a copy of them, either under his hand, if he delivers one signed, or duly proved by affidavit.

The criminal is preserved to become the rallying point of all the disaffected and the worthless of

the United States, and to be the pivot on which all the intrigues and the conspiracies which foreign governments may wish to disturb us with, are to turn. If he is convicted of the misdemeanor, the Judge must in decency give us respite by some short confinement of him; but we must expect it to be very short. Be assured yourself, and communicate the same assurance to your colleagues, that your and their zeal and abilities have been displayed in this affair to my entire satisfaction and your own honor.

I salute you with great esteem and respect.

TO THE SECRETARY OF WAR.

(HENRY DEARBORN.)

MONTICELLO, September 6, 1807.

DEAR SIR,—I enclose you the letters of Mr. Granger and Mr. J. Nicholas, by the latter of which you will see that an Indian rupture in the neighborhood of Detroit becomes more probable, if it has not already taken place. I see in it no cause for changing the opinion given in mine of August 28, but on the contrary, strong reason for hastening the measures therein recommended. We must make ever memorable examples of the tribe or tribes which shall have taken up the hatchet.

I salute you with affection and respect.

TO THOMAS PAINE.

MONTICELLO, September 6, 1807.

DEAR SIR,—I received last night your favor of August 29, and with it a model of a contrivance for making one gunboat do nearly double execution. It has all the ingenuity and simplicity which generally mark your inventions. I am not nautical enough to judge whether two guns may be too heavy for the bow of a gunboat, or whether any other objection will countervail the advantage it offers, and which I see visibly enough. I send it this day to the Secretary of the Navy, within whose department it lies to try and to judge it. Believing, myself, that gunboats are the only *water* defence which can be useful to us, and protect us from the ruinous folly of a navy, I am pleased with everything which promises to improve them.

The battle of Friedland, armistice with Russia, conquest of Prussia, will be working on the British stomach when they will receive information of the outrage they have committed on us. Yet, having entered on the policy proposed by their champion "war in disguise," of making the property of all nations lawful plunder to support a navy which their own resources cannot support, I doubt if they will readily relinquish it. That war with us had been predetermined may be fairly inferred from the diction of Berkley's order, the Jesuitism of which proves it ministerial from its being so timed as to

find us in the midst of Burr's rebellion as they expected, from the contemporaneousness of the Indian excitements, and of the wide and sudden spread of their maritime spoliations. I salute you with great esteem and respect.

TO GEORGE HAY, ESQ., ATTORNEY FOR THE U. S., BEFORE THE DISTRICT OF VIRGINIA.

MONTICELLO, September 7, 1807.

SIR,—Understanding that it is thought important that a letter of November 12, 1806, from General Wilkinson to myself, should be produced in evidence on the charges against Burr, depending in the District Court now sitting in Richmond, I send you a copy of it, omitting only certain passages, the nature of which is explained in the certificate subjoined to the letter. As the attorney for the United States, be pleased to submit the copy and certificate to the uses of the Court. I salute you with great esteem and respect.

P. S. On re-examination of a letter of November 12, 1806, from General Wilkinson to myself, (which having been for a considerable time out of my possession, and now returned to me,) I find in it some passages entirely confidential, given for my information in the discharge of my executive functions, and which my duties and the public interest forbid me to make public. I have therefore given above

a correct copy of all those parts which I ought to permit to be made public. Those not communicated are in nowise material for the purposes of justice on the charges of treason or misdemeanor depending against Aaron Burr; they are on subjects irrelevant to any issues which can arise out of those charges, and could contribute nothing towards his acquittal or conviction. The papers mentioned in the 1st and 3d paragraphs, as enclosed in the letters, being separated therefrom, and not in my possession, I am unable, from memory, to say what they were. I presume they are in the hands of the attorney for the United States. Given under my hand this 7th day of September, 1807.

TO GOVERNOR WILLIAM H. CABELL.

MONTICELLO, September 7, 1807.

DEAR SIR,—I now return you Major Newton's letters. The intention of the squadron in the bay is so manifestly pacific, that your instructions to him are perfectly proper, not to molest their boats merely for approaching the shore. While they are giving up slaves and citizen seamen, and attempting nothing ashore, it would not be well to stop this by any new restriction. If they come ashore indeed, they must be captured, or destroyed if they cannot be captured, because we mean to enforce the proclamation rigorously in preventing supplies. So the instructions already given as to intercourse by flag,

as to sealed and unsealed letters, must be strictly adhered to. It is so material that the seaport towns should have artillery militia duly trained, that I think you have done well to permit Captain Nestell's company to have powder and ball to exercise. With respect to gun-carriages, furnaces and clothes, I am so little familiar with the details of the War Department that I must beg those subjects to lie till the return of the Secretary at War, which will be in three weeks. Proposing to be absent from this place from the 9th to the 16th instant, our daily post will be suspended during that interval. I salute you with great esteem and respect.

TO GEORGE HAY.

MONTICELLO, September 7, 1807.

DEAR SIR,—I received, late last night, your favor of the day before, and now re-enclose you the subpœna. As I do not believe that the district courts have a power of *commanding* the executive government to abandon superior duties and attend on them, at whatever distance, I am unwilling, by any notice of the subpœna, to set a precedent which might sanction a proceeding so preposterous. I enclose you, therefore, a letter, public and for the court, covering substantially all they ought to desire. If the papers which were enclosed in Wilkinson's letter may, in your judgment, be communicated without injury, you will be pleased to communicate them. I return you the original letter.

I am happy in having the benefit of Mr. Madison's counsel on this occasion, he happening to be now with me. We are both strongly of opinion, that the prosecution against Burr for misdemeanor should proceed at Richmond. If defeated, it will heap coals of fire on the head of the Judge; if successful, it will give time to see whether a prosecution for treason against him can be instituted in any, and what other court. But we incline to think, it may be best to send Blennerhasset and Smith (Israel) to Kentucky, to be tried both for the treason and misdemeanor. The trial of Dayton for misdemeanor may as well go on at Richmond.

I salute you with great esteem and respect.

TO THE SECRETARY OF THE NAVY.
(JACOB CROWNINSHIELD.)

MONTICELLO, September 8, 1807.

DEAR SIR,—Mr. Madison, who is with me, suggests the expediency of immediately taking up the case of Captain Porter, against whom you know Mr. Erskine lodged a very serious complaint, for an act of violence committed on a British seaman in the Mediterranean. While Mr. Erskine was reminded of the mass of complaints we had against his government for similar violences, he was assured that contending against such irregularities ourselves, and requiring satisfaction for them, we did not mean to follow the example, and that on Captain Porter's return, it should be properly

inquired into. The sooner this is done the better; because if Great Britain settles with us satisfactorily all our subsisting differences, and should require in return, (to have an appearance of reciprocity of wrong as well as redress,) a marked condemnation of Captain Porter, it would be embarrassing were that the only obstacle to a peaceable settlement, and the more so as we cannot but disavow his act. On the contrary, if we immediately look into it, we shall be more at liberty to be moderate in the censure of it, on the very ground of British example; and the case being once passed upon, we can more easily avoid the passing on it a second time, as against a settled principle. It is therefore to put it in our power to let Captain Porter off as easily as possible, as a valuable officer whom we all wish to favor, that I suggest to you the earliest attention to the inquiry, and the promptest settlement of it. I set out to-morrow on a journey of 100 miles, and shall be absent eight or nine days. I salute you affectionately.

TO JOHN CRAWFORD.

MONTICELLO, September 8, 1807.

Thomas Jefferson presents his compliments to Mr. Crawford, and his thanks for his Observations on Quarantines, which he has read with great pleasure. Not himself a friend to quarantines, nor having confidence in their efficacy, even if they are necessary, he sees with pleasure every effort to

lessen their credit. But the theory which derives all infection, and ascribes to unseen animals the effects hitherto believed to be produced by it, is as yet too new and unreceived to justify the public servants in resting thereon the public health, until time and further investigation shall have sanctioned it by a more general confidence. He salutes Mr. Crawford with great respect.

TO THE SECRETARY OF THE TREASURY.

(ALBERT GALLATIN.)

MONTICELLO, September 8, 1807.

DEAR SIR,—Yours of the 2d is received, and I have this day directed commissions for Bull, Hubbell, and for Benajah Nicholls of North Carolina, as Surveyor of the port of Windsor, v. Simeon Turner, resigned. This last is on the recommendation of Alston.

You know that the merchants of New York and Philadelphia were of opinion that a public vessel sent into the Bay of Bengal to notify our trade there, would in fact increase the danger of our vessels. The most intelligent merchants of Baltimore, consulted by Mr. Smith, were of the same opinion as to the Straits of Sunda. It was therefore concluded between Mr. Smith, Mr. Madison, and myself, (time not admitting further consultation,) that it would be best to make a Consul for Batavia, (there being none,) and send him to his post by a private vessel, with instructions to take the best measures

he could for notifying all our trade beyond the Straits, to instruct our Consul at the Isle of France to do the same to all on this side, and moreover to send a special agent by any private conveyance to be obtained, to go from port to port in the Bay of Bengal, to give private notice to the vessels there. As several vessels were on their departure for those seas from Philadelphia and Baltimore, it is trusted that this arrangement will effect all the good proposed, and avoid all the evil apprehended at the different places which were consulted.

I set out to-morrow to Bedford, and shall be absent eight days. I shall leave this on the 30th, and be in Washington the 3d of October, ready for our meeting on the 5th. I salute you affectionately.

TO GOVERNOR WILLIAM H. CABELL.

MONTICELLO, September 18, 1807.

SIR,—On my return to this place yesterday I found your favor of the 15th, and now return the papers it covered. I am glad to see the temperate complexion of Lowrie's correspondence. I presume the intelligence from England since the arrival there of the information respecting the Chesapeake, will produce a moderate deportment in their officers. Your instructions to Major Newton on the opening of letters, are perfectly consonant with the rules laid down. With respect to the mode of furnishing

the troops with provisions through any other channel than that of the public contractor, I am unable to say anything, being not at all acquainted with the arrangements of the War Department on that subject. I enclose you a letter I have received from a Mr. Belcher, of Gloster, giving reason to believe there have been some contraventions of the Proclamation there which ought to be punished if they can be detected. I salute you with great esteem and respect.

TO JAMES MADISON.

MONTICELLO, September 18, 1807.

I returned here yesterday afternoon and found, as I might expect, an immense mass of business. With the papers received from you, I enclose you some others which will need no explanation. I am desired by the Secretary of the Navy to say what must be the conduct of Commodore Rogers, at New York, on the late or any similar entry of that harbor by the British armed vessels. I refer him to the orders to Decatur as to what he was to do if the vessels in the Chesapeake: 1. Remain quiet in the Bay. 2. Come to Hampton road. 3. Enter Elizabeth river, and recommend an application of the same rules to New York, accommodated to the localities of the place. Should the British government give us reparation of the past, and security for the future, yet the continuance of their vessels in

our harbors in defiance constitutes a new injury, which will not be included in any settlement with our ministers, and will furnish good ground for declaring their future exclusion from our waters, in addition with the other reasonable ground before existing. Our Indian affairs in the northwest on the Missouri, and at the Natchitoches, wear a very unpleasant aspect. As to the first all I think is done which is necessary. But for this and other causes, I am anxious to be again assembled. I have a letter from Connecticut. The prosecution there will be dismissed this term on the ground that the case is not cognizable by the courts of the United States. Perhaps you can intimate this where it will give tranquillity. Affectionate salutations.

TO THE SECRETARY OF THE NAVY.

(JACOB CROWNINSHIELD.)

MONTICELLO, September 18, 1807.

DEAR SIR,—On my return yesterday I found yours of the 10th, and now re-enclose you Commodore Rogers' letter. You remember that the orders to Decatur were to leave the British ships unmolested so long as they laid quiet in the Bay; but if they should attempt to enter Elizabeth river to attack them with all his force. The spirit of these orders should, I think, be applied to New York. So long as the British vessels merely enter the Hook, or remain quiet there, I would not precipitate hos-

tilities. I do not sufficiently know the geography of the harbor to draw the line which they should not pass. Perhaps the narrows, perhaps some other place which yourself or Commodore Rogers can fix with the aid of the advice he can get in New York. But a line should be drawn which if they attempt to pass, he should attack them with all his force. Perhaps he would do well to have his boats ordinarily a little without the line to let them see they are not to approach it; but whether he can lay there in safety, *ordinarily*, he must judge. But if the British vessels continue at the Hook, great attention should be paid to prevent their receiving supplies or their landing, or having any intercourse with the shore or other vessels. I left Mr. Nicholas's yesterday morning: he is indisposed with his annual influenza. Mrs. Nicholas is well. I shall be at Washington on the 3d proximo. Affectionate salutations.

TO ROBERT BRENT, ESQ.

MONTICELLO, September 19, 1807.

SIR,—I have just received your favor of the 8th, informing me that the Board of Trustees for the public school in Washington had unanimously reappointed me their President. I pray you to present to them my thanks for the mark of their confidence, with assurances that I shall at all times be ready to render to the Institution any services which shall be in my power. Accept yourself my salutations, and assurances of great respect and esteem.

TO JAMES MADISON.

September 20, 1807.

I return all the papers received in yours of the 18th and 19th, except one soliciting office, Judge Woodward's letters, to be communicated to the Secretary of War. Should not Claiborne be instructed to say at once to Governor Folch, that as we never did prohibit any articles (except slaves) from being carried up the Mississippi to Baton Rouge, so we do not mean to prohibit them, and that we only ask a perfect and equal reciprocity to be observed on the rivers which pass through the territories of both nations. Must we not denounce to Congress the Spanish decree as well as the British regulation pretending to be the countervail of the French? One of our first consultations, on meeting, must be on the question whether we shall not order all the militia and volunteers destined for the Canadas to be embodied on the 26th of October, and to march immediately to such points on the way to their destination as shall be pointed out, there to await the decision of Congress? I approve of the letter to Erskine. In answering his last, should he not be reminded how strange it is he should consider as a hostility our refusing to receive but under a flag, persons from vessels remaining and acting in our waters in defiance of the authority of the country? The post-rider of the day before yesterday has behaved much amiss in not calling on

you. When I found your mail in the valise and that they had not called on you, I replaced the mail in it and expressly directed him to return by you. Affectionate salutations.

TO GEORGE HAY.

MONTICELLO, September 20, 1807.

DEAR SIR,—General Wilkinson has asked permission to make use, in the statement of Burr's affair which he is about to publish, of the documents placed in your hands by Mr. Rodney. To this, consent is freely given with one reservation. Some of these papers are expressed to be confidential. Others containing censures on particular individuals, are such as I always deem confidential, and therefore cannot communicate, but for regularly official purposes, without a breach of trust. I must therefore ask the exercise of your discretion in selecting all of this character, and of giving to the General the free use of the others. It will be necessary that the whole be returned to the Attorney General by the first week in the next month, as a selection will be made from them to make part of the whole evidence in the case, which I shall have printed and communicated to Congress. I salute you with great esteem and respect.

TO GENERAL JAMES WILKINSON.

MONTICELLO, September 20, 1807.

DEAR SIR,—I received your favors of the 13th and 15th on my return to this place on the 17th, and such was the mass of business accumulated in my absence, that I have not till now been able to take up your letters. You are certainly free to make use of any of the papers we put into Mr. Hay's hands, with a single reservation: to wit, some of them are expressed to be confidential, and others are of that kind which I always consider as confidential, conveying censure on particular individuals, and therefore never communicate them beyond the immediate executive circle. I accordingly write to this effect to Mr. Hay. The scenes which have been acted at Richmond are such as have never before been exhibited in any country where all regard to public character has not yet been thrown off. They are equivalent to a proclamation of impunity to every traitorous combination which may be formed to destroy the Union; and they preserve a head for all such combinations as may be formed within, and a centre for all the intrigues and machinations which foreign governments may nourish to disturb us. However, they will produce an amendment to the Constitution which, keeping the judges independent of the Executive, will not leave them so, of the nation.

I shall leave this place on the 30th for Washington.

It is with pleasure that I perceive from all the expressions of public sentiment, that the virulence of those whose treasons you have defeated only place you on higher ground in the opinion of the nation. I salute you with great esteem and respect.

TO TENCH COXE.

MONTICELLO, September 21, 1807.

SIR,—I have read with great satisfaction your observations on the principles for equalizing the power of the different nations on the sea, and think them perfectly sound. Certainly it will be better to produce a balance on that element, by reducing the means of its great monopolizer, than by endeavoring to raise our own to an equality with theirs. I have ever wished that all nations would adopt a navigation law against those who have one, which perhaps would be better than against all indiscriminately, and while in France I proposed it there. Probably that country is now ripe for it. I see no reason why your paper should not be published, as it would have effect towards bringing the public mind to proper principles. I do not know whether you kept a copy; if you did not, I will return it. Otherwise I retain it for the perusal of my coadjutors, and perhaps to suggest the measure abroad. I salute you with great esteem and respect.

TO THE ATTORNEY GENERAL.

(ROBERT SMITH.)

WASHINGTON, October 8, 1807.

DEAR SIR,— * * * * * * * * *

The approaching convention of Congress would render your assistance here desirable. Besides the varieties of general matter we have to lay before them, on which we should be glad of your aid and counsel, there are two subjects of magnitude in which your agency will be peculiarly necessary. 1st. The selection and digestion of the documents respecting Burr's treason, which must be laid before Congress in two copies (or perhaps printed, which would take ten days). 2d. A statement of the conduct of Great Britain towards this country, so far as respects the violations of the Maritime Law of nations. Here it would be necessary to state each distinct principle violated, and to quote the cases of violation, and to conclude with a view of her vice-admiralty courts, their venality and rascality, in order to show that however for conveniences, (and not of right), the court of the captor is admitted to exercise the jurisdiction, yet that in so palpable an abuse of that trust, some remedy must be applied. Everything we see and hear leads in my opinion to war; we have therefore much to consult and determine on, preparatory to that event. I salute you with affectionate respect.

TO THOMAS PAINE.

WASHINGTON, October 9, 1807.

DEAR SIR,—Your second letter on the subject of gunboats, came to hand just before my departure from Monticello. In the meantime, the inquiry into the proposition had been referred, agreeably to our usage, or to reason, to the practical persons of the department to which it belonged, deemed most skilful. On my arrival here, I found the answers of the persons to whom it was referred, the substance of which I now enclose you. I am not a judge of their solidity, but I presume they are founded, and the rather as they are from officers entirely favorable to the use of gun-boats.

We have as yet no knowledge of the arrival of the Revenge in England, but we may daily expect to hear of it; and as we expected she would be detained there and in France about a month, it will be a month hence before we can expect her back here. In the meantime, all the little circumstances coming to our knowledge are unfavorable to our wishes for peace. If they would but settle the question of impressment from our bottoms, I should be well contented to drop all attempts at a treaty. The other rights of neutral powers will be taken care of by Bonaparte and Alexander; and for commercial arrangements we can sufficiently provide by legislative regulations. But as the practice of impressment has taken place only against

us, we shall be left to settle that for ourselves; and to do this we shall never again have so favorable a conjuncture of circumstances. Accept my friendly salutations and assurances of great esteem and respect.

TO GOVERNOR WILLIAM H. CABELL.

WASHINGTON, October 12, 1807.

DEAR SIR,—I now return you several of Major Newton's letters, some of which have been kept awhile for consideration. It is determined that there shall be no relaxation in the conditions of the proclamations, or any change in the rules of intercourse by flag. If the British officers set the example of refusing to receive a flag, let ours then follow it by never sending or receiving another. The interval cannot now be long in which matters will remain at their present point. I salute you with great friendship and respect.

TO ALBERT GALLATIN.

WASHINGTON, October 14, 1807.

I think the proper instructions for Mr. Christie's revenue cutter may be drawn from those given to Captain Decatur. The authority of the proclamation is to be maintained, no supplies to be permitted to be carried to the British vessels, nor their vessels permitted to land. For these purposes force, and

to any extent, is to be applied, if necessary, but not unless necessary, nor, considering how short a time the present state of things has to continue, would I recommend any extraordinary vigilance or great industry in seeking even just occasions for collision. It will suffice to do what is right when the occasion comes into their way. I cannot doubt the expediency of getting the instruments recommended by Mr. Patterson, and of the best kind, *if they can be got in England*, because I almost know they cannot be made *in any other country* equally good, and I should be quite averse to getting those which should not be perfect.

May we not at once appoint the republican candidate for the collectorship of Snow-hill? Affectionate salutations.

TO THE SECRETARY OF WAR.

(HENRY DEARBORN.)

WASHINGTON, October 17, 1807.

DEAR SIR,—I forwarded to Mr. Smith, Secretary of the Navy, an extract of so much of my letter to you of August 31st, as suggested the idea of artificial harbors for gunboats, on the horse-shoe and middle grounds, with a view to his having their formation examined, to know if they would support works, and their distance ascertained, to know what would be their effect. The objects were, 1, to provide an asylum on the shoals for gunboats against weather and ships of war, and 2, to prevent ships lying

within the capes. I enclose you the opinion of Captain Porter, according to which, without thinking of attempting works so difficult and doubtful, both ends will be answered by a work at Lynhaven river, where the shoals are extensive enough to keep off ships of war, and the river sufficiently capacious to receive all the gunboats. He thinks a work at Point Comfort might also be useful. I send you his draught, which, being merely an enlargement from More's map on a very minute scale, is not to be much depended on; and considering the extent of country that point is to defend, I recommend it to your consideration, as one of our important objects. Affectionate salutations.

TO GOVERNOR JAMES SULLIVAN.

WASHINGTON, October 18, 1807.

SIR,—I have duly received your favor of the 8th inst., covering, at the request of the General Court of Massachusetts, a memorial to the Senate and House of Representatives of the United States, on behalf of Benjamin Hichborn and others, with a desire that I would communicate and recommend the same to both Houses of Congress. I should avail myself with particular pleasure of every occasion of doing what would be acceptable to the legislative and executive authorities of Massachusetts, and which should be within the limits of my functions. The Executive of the Union is, indeed,

by the Constitution, made the channel of communication between *foreign* powers and the United States. But citizens, whether individually, or in bodies corporate, or associated, have a right to apply directly to any department of their government, whether legislative, executive, or judiciary, the exercise of whose powers they have a right to claim; and neither of these can regularly offer its intervention in a case belonging to the other. The communication and recommendation by me to Congress of the memorial you have been pleased to enclose me, would be an innovation, not authorized by the practice of our government, and therefore the less likely to add to its weight or effect. Thus restrained from serving you in the exact way desired, I have thought I could not better do it than by a prompt return of the papers, that no time might be lost in transmitting them through the accustomary channels of your Senators and Representatives in Congress; and I avail myself of the occasion of assuring you of my very high respect and consideration.

TO DOCTOR B. S. BARTON.

WASHINGTON, October 18, 1807.

DEAR SIR,—I received last night a diploma from the Linnæan Society of Philadelphia, doing me the honor of associating me to their body. I pray you to do me the favor of assuring the society of my sensibility for this mark of their notice, and of my

thanks. Sincerely associated with the friends of science, in spirit and inclination, I regret the constant occupations of a different kind, which put out of my power the proper co-operations with them, had I otherwise the talents for them. I shall gladly embrace any occasion which can be offered of being useful to the society, as a mark of my acknowledgments for their favors, with my thanks for the copy of your discourse, enclosed at the same time. I pray you to receive my friendly salutations, and assurances of great respect and esteem.

TO JAMES GAMBLE, ESQ.

WASHINGTON, October 21, 1807.

SIR —Your favor of the 17th has been duly received. I have long seen, and with very great regret, the schisms which have taken place among the republicans, and principally those of Pennsylvania and New York. As far as I have been able to judge, they have not been produced by any difference of political principle,—at least, any important difference, but by a difference of opinion as to persons. I determined from the first moment to take no part in them, and that the Government should know nothing of any such differences. Accordingly, it has never been attended to in any appointment, or refusal of appointment. General Shee's personal merit, universally acknowledged, was the cause of his appointment as Indian Super-

intendent, and a subsequent discovery that his removal to this place (the indispensable residence of that officer), would be peculiarly unpleasant to him, suggested his translation to another office, to solve the double difficulty. Rarely reading the controversial pieces between the different sections of republicans, I have not seen the piece in the Aurora, to which you allude; but I may with truth assure you, that no fact has come to my knowledge which has ever induced any doubt of your continued attachment to the true principles of republican government. I am thankful for the favorable sentiments you are so kind as to express towards me personally, and trust that an uniform pursuit of the principles and conduct which have procured, will continue to me an approbation, which I highly value.

I salute you with great esteem and respect.

TO GOVERNOR WILLIAM H. CABELL.

WASHINGTON, October 25, 1807.

SIR,—Your letters of the 21st and 22d are received, and I now return Captain Read's of the 18th. We conclude it unnecessary to call for another corps of militia, to relieve that now in service at Lynhaven. General Dearborn will write, and give the necessary directions for discharging, paying, etc. I suspect the departure of the British armed vessels from our waters, is in consequence of orders from their govern-

ment to respect the proclamation. If Congress should approve our ideas of defensive works for the several harbors of the United States, there will be a regular fort at the mouth of Lynhaven river, to protect such a number of gun-boats to be stationed there as will, in case of war, render it too dangerous to any armed vessel to enter the bay; and thus to protect the bay and all its waters at its mouth. I salute you with great esteem and respect.

TO THE SECRETARY OF WAR.
(HENRY DEARBORN.)

WASHINGTON, October 27, 1807.

DEAR SIR,—I have reflected on the case of the embodying of the militia in Ohio, and think the respect we owe to the State may overweigh the disapprobation so justly due to the conduct of their Governor pro tem. They certainly had great merit, and have acquired a very general favor through the Union, for the early and vigorous blows by which they crushed the insurrection of Burr. We have now again to appeal to their patriotism and public spirit in the same case; and should there be war, they are our bulwark in the most prominent point of assault from the Indians. Their good will and affection, therefore, should be conciliated by all justifiable means. If we suffer the question of paying the militia embodied to be thrown on their Legislature, it will excite acrimonious debate in

that body, and they will spread the same dissatisfaction among their constituents, and finally it will be forced back on us through Congress. Would it not, therefore, be better to say to Mr. Kirker, that the General Government is fully aware that emergencies which appertain to them will sometimes arise so suddenly as not to give time for consulting them, before the State must get into action; that the expenses in such cases, incurred on reasonable grounds, will be met by the General Government; and that in the present case, although it appears there was no real ground for embodying the militia, and that more certain measures for ascertaining the truth should have been taken before embodying them, yet an unwillingness to damp the public spirit of your countrymen, and the justice due to the individuals who came forward in defence of their country, and who could not know the grounds on which they were called, have determined us to consider the call as justifiable, and to defray the expenses. This is submitted to you for consideration. Affectionate salutations.

TO ALBERT GALLATIN.

October 28, 1807.

I think there is nothing in the former regulations of the Salines which hindered merchants or others of the country round about, far or near, from purchasing salt at the Salines, at the stated price, and

carrying and vending it elsewhere at their own price; and it was naturally to be expected that competition would in this way reduce it to a proper price wherever sold. If this had taken place, it would have been desirable that the lessees should not have engaged in it, because as the price at a distance must add some profit to the transportation and first cost, this profit might have induced the lessees to sell reluctantly on the spot. As the merchants, however, have not entered into this business, I think it would be well to let the lessees begin it, leaving them open to the effect of future competition; subjecting them to a maximum as they themselves propose, and to have the permission revoked if they obstruct sales at the Salines, or otherwise abuse the permission. I return you their letter.

I return you, also, the papers respecting the lead mines, and think with you that one-fifth for the three last years is not unreasonable.

I propose to inform Mr. Moore (if you know of no objection,) that I approve his proposition for cutting the whole road from Cumberland to Brownsville. We shall by this means secure, at any rate, the benefit of their location, which will of itself have occasioned considerable expense. Affectionate salutations.

TO ALBERT GALLATIN.

October 31, 1807.

The rent we proposed for the Indiana lead mine was two-tenths of three years' produce=six-tenths

of one year's produce for five years' occupation: and one-tenth of five years' produce=five-tenths of one year's produce for five years' occupation, is the option you propose. There can be but one objection to it, that is, the effect which a rent of one-tenth annually might have in lowering the future rents permanently. From the Louisiana standing rent of one-tenth, and the offer of one-tenth for the Indiana mine, I suspect that one-fifth may be too much for a permanent rent. What would you think of continuing the offer of two years free of rent, and one-eighth of the *metal* afterwards? I think the most important object for the public is to find what rent the tenant can pay and still have an encouraging profit for himself, and to obtain that rent. However, I suggest this merely for your consideration.

I have written to Mr. Moore on the subject of the road. Whom shall we appoint in the room of Kilgore? I have conversed with Morrar, but have had no opportunity of speaking with Governor Tiffin. Affectionate salutations.

TO GOVERNOR WILLIAM H. CABELL.

WASHINGTON, November 1, 1807.

DEAR SIR,—Your late letters have been regularly referred to the Secretary at War, who has already answered their several enquiries, or will do it immediately. I am inclined to believe that the departure

of the British vessels from our waters must be in consequence of orders from England to respect the authorities of the country. Within about a fortnight we think we may expect answers from England which will decide whether this cloud is to issue in a storm or calm. Here we are pacifically inclined, if anything comes which will permit us to follow our inclinations. But whether we have peace or war, I think the present Legislature will authorize a complete system of defensive works, on such a scale as they think they ought to adopt. The state of our finances now permits this. To defensive works by land they will probably add a considerable enlargement of the force in gunboats. A combination of these, will, I think, enable us to defend the Chesapeake at its mouth, and save the vast line of preparation which the defence of all its interior waters would otherwise require. I salute you with great esteem and respect.

TO GOVERNOR ROBERT WILLIAMS.[1]

WASHINGTON, November 1, 1807.

SIR,—I have duly received your letter of August 25th, in which you express a wish that the letters received from you may be acknowledged, in order to ascertain their safe transmission. Those received the present year have been of March 14, May 11, and 30, June 8, July 3, August 12, and 25. They have

[1] Governor of the Mississippi Territory.

not been before acknowledged in conformity with a practice which the constant pressure of business has forced me to follow, of not answering letters which do not necessarily require it. I have seen with regret, the violence of the dissensions in your quarter. We have the same in the territories of Louisiana and Michigan. It seems that the smaller the society the bitterer the dissensions into which it breaks. Perhaps this observation answers all the objections drawn by Mr. Adams from the small republics of Italy. I believe ours is to owe its permanence to its great extent, and the smaller portion comparatively, which can ever be convulsed at one time by local passions. We expect shortly now to hear from England, and to know how the present cloud is to terminate. We are all pacifically inclined here, if anything comes from thence which will permit us to follow our inclinations. I salute you with esteem and respect.

TO ALBERT GALLATIN.

November 8, 1807.

I will sign a proclamation for the sale of the lands nothwest of Ohio, whenever you think proper. I believe the form is in your office, and in the course of this week we will agree on the officers.

I am afraid we know too little as yet of the lead mines to establish a permanent system. I verily believe that of leasing will be far the best for the United

States. But it will take time to find out what rent may be reserved, so as to enable the lessee to compete with those who work mines in their own right, and yet have an encouraging profit for themselves. Having on the spot two such men as Lewis and Bates, in whose integrity and prudence unlimited confidence may be placed, would it not be best to confide to them the whole business of leasing and regulating the management of our interests, recommending to them short leases, at first, till themselves shall become thoroughly acquainted with the subject, and shall be able to reduce the management to a system, which the government may then approve and adhere to. I think one article of it should be that the rent shall be paid in metal, not in mineral, so that we may have nothing to do with works which will always be mismanaged, and reduce our concern to a simple rent. We shall lose more by ill-managed smelting works than the digging the ore is worth. Then it would be better that our ore remained in the earth than in a storehouse, and consequently we give nine-tenths of the ore for nothing. These thoughts are merely for your consideration.. Affectionate salutations.

TO WILLIAM SHORT.

WASHINGTON, November 15, 1807.

DEAR SIR,—Yours of the 6th has been duly received. On the subject of your location for the winter, it is impossible in my view of it, to doubt on

the preference which should be given to this place. Under any circumstances it could not but be satisfactory to you to acquire an intimate knowledge of our political machine, not merely of its organization, but the individuals and characters composing it, their general mode of thinking, and of acting openly and secretly. Of all this you can learn no more at Philadelphia than of a diet of the empire. None but an eye-witness can really understand it, and it is quite as important to be known to them, and to obtain a certain degree of their confidence in your own right. In a government like ours, the standing of a man well with this portion of the public must weigh against a considerable difference of other qualifications. Your quarters here may not perhaps be quite as comfortable as at Philadelphia. There is a good house half-way between this and the Treasury, where General Dearborn, Mr. and Mrs. Cutts, board together. I do not know if there is a vacancy in it, but there are houses all along the avenue, convenient to the Capitol, and to this house also, to come and take your soup with us every day, when not otherwise engaged.

Our affairs with Spain laid dormant during the absence of Bonaparte from Paris, because we know Spain would do nothing towards settling them, but by compulsion. Immediately on his return, our terms were stated to him, and his interposition obtained. If it was with good faith, its effect will be instantaneous; if not with good faith, we shall

discover it by affected delays, and must decide accordingly. I think a few weeks will clear up this matter. With England, all is uncertain. The late stuff by Captain Doane, is merely a counterbalance for the stuff we had a week before of a contrary aspect. Those dialogues they put into the mouths of the ministers were not likely to be communicated to the newswriters, and they are founded on a falsehood within my knowledge, not that I have confidence with an amicable arrangement with England; but I have not the less on account of this information. One circumstance only in it, I view as very possible, that she may by proclamation forbid all commerce with her enemies, which is equivalent to forbidding it with any nation but herself. As her commerce could not be accepted on such terms, this will be as much of a war as she could wage if she were to declare war, for she can wage only a maritime war with us. In such a case we could not let the war be all on one side, but must certainly endeavor at as much indemnification as we could take. If we have war with her, we shall need no loan the first year, a domestic loan only the second year, but after that, foreign loans. The moment the war is decided, we shall think it necessary to take measures to insure these by the time they are wanted, and your management of this kind of business, formerly, is known to have been so advantageous, that we should certainly wish to avail ourselves of your services, if they can be obtained conformably to our joint views. But nothing specific

can be said until the denouement of our present situation. No inference can be drawn from Monroe's return, (which I dare say will be by the Revenge,) because his return this autumn had been earnestly solicited by him, and agreed to by us. The classification of our militia will be again proposed, on a better plan, and with more probable success. With respect to General Moreau, no one entertains a more cordial esteem for his character than I do, and although our relations with France have rendered it a duty in me not to seek any public manifestation of it, yet were accident to bring us together, I could not be so much wanting to my own sentiments and those of my constituents individually, as to omit a cordial manifestation of it.

TO JAMES PEMBERTON.

WASHINGTON, November 16, 1807.

SIR,—Your favor of October 31st has been duly received, and I thank you for the communication of the report of the Committee of Friends. It gives me great satisfaction to see that we are likely to render our Indian neighbors happier in themselves and well affected to us; that the measures we are pursuing are prescribed equally by our duty to them, and by the good of our own country. It is a proof the more of the indissoluble alliance between our duties and interest, which if ever they appear to lead in opposite directions, we may be assured it is from our own

defective views. It is evident that your society has begun at the right end for civilizing these people. Habits of industry, easy subsistence, attachment to property, are necessary to prepare their minds for the first elements of science, and afterwards for moral and religious instruction. To begin with the last has ever ended either in effecting nothing, or ingrafting bigotry on ignorance, and setting them to tomahawking and burning old women and others as witches, of which we have seen a commencement among them. There are two circumstances which have enabled us to advance the southern tribes faster than the northern; 1, they are larger, and the agents and instructors therefore can extend their instruction and influence over a much larger surface; 2, the southern tribes can raise cotton, and immediately enter on the process of spinning and weaving, so as to clothe themselves without resorting to the chase. The northern tribes cannot cultivate cotton, nor can they supply its want by raising sheep, because of the number of wolves. I see not how they are to clothe themselves till they shall have destroyed these animals, which will be a work of time. They should make this one of the principal objects of their hunts. I salute you with great esteem and respect.

TO DANIEL ECCLESTON, ESQUIRE.

WASHINGTON, November 21, 1807.

SIR,—I received on the 22d ultimo your favor of May 20th, with the medals accompanying it, through the channel of my friend and ancient class-mate, Mr. Manning, of Liverpool. That our own nation should entertain sentiments of gratitude and reverence for the great character who is the subject of your medallion, is a matter of duty. His disinterested and valuable services to them have rendered it so; but such a monument to his memory by the member of another community, proves a zeal for virtue in the abstract, honorable to him who inscribes it, as to him whom it commemorates. In returning you my individual thanks for the one destined for myself, I should perform but a part of my duty were I not to add an assurance that this testimonial in favor of the first worthy of our country will be grateful to the feelings of our citizens generally.

I immediately forwarded the two other medals and the letter to Judge Washington, with a request that he would hand one of them to Chief Justice Marshall. I salute you with great respect.

TO JAMES MAURY.

WASHINGTON, November 21, 1807.

DEAR SIR,—Your favor of July 21st came to hand October 22d, with the letters and medals of General

Washington, from Mr. Eccleston, and I now take the liberty of enclosing through you my acknowledgments to him. This tribute of respect to the first worthy of our country, is honorable to him who renders as to him who is the subject of it.

The world, as you justly observe, is truly in an awful state. Two nations of overgrown power are endeavoring to establish, the one an universal dominion by sea, the other by land. We naturally fear that which comes into immediate contact with us, leaving remoter dangers to the chapter of accidents. We are now in hourly expectation of hearing from our ministers in London, by the return of the Revenge. Whether she will bring us war or peace, or the middle state of non-intercourse, seems suspended in equal balance. With every wish for peace, permitted by the circumstances forced upon us, we look to war as equally probable. The crops of the present year have been great beyond example. The wheat sown for the ensuing year is in a great measure destroyed by the drought and the fly. A favorable winter and spring sometimes do wonders towards recovering unpromising grain; but nothing can make the next crop of wheat a good one.

The present aspect of our foreign relations has encouraged here a general spirit of encouragement to domestic manufacture. The Merino breed of sheep is well established with us, and fine samples of cloth are sent on from the north. Considerable manufactures of cotton are also commencing. Phil-

adelphia, particularly, is becoming more manufacturing than commercial. I have heard nothing lately from your friends in Albemarle; but if all had not been well with them, I should have heard of it. I tender you my affectionate salutations, and assurances of constant friendship and respect.

TO ALBERT GALLATIN.

November 22, 1807.

The defence of Orleans against a land army can never be provided for, according to the principles of the Constitution, till we can get a sufficient militia here. I think therefore to get the enclosed bill brought forward again. Will you be so good as to make any alterations in it which the present state of the surveys may have rendered necessary, and any others you shall think for the better?

TO COLONEL JOHN MINOR.

WASHINGTON, November 25, 1807.

DEAR SIR,—Your favor of the 23d came to hand last night, and I thank you for your attention to the letter to Mrs. Dangerfield, whose answer I have received. Perceiving that you are rendered unquiet by the impudent falsehoods with which the newspapers have tormented the public feelings lately, in a moment of extraordinary anxiety, I must assure you that these articles are all demonstrably false,

that is to say, the information of about three or four weeks ago that the ministers on both sides had given out that all things were amicably arranged. That which followed a week after assuring us all negotiation was at an end, and war inevitable, that is to say, Captain Doane's news, and what followed a few days ago of Bonaparte's pretended answer to queries, extending his decree to us, coming via Antwerp and Bordeaux. It is believed that the last was fabricated in Boston, to counteract the war-news from England there afloat. I have no doubt Monroe is coming home, and that he, as well as the Revenge, may be expected about the last of the month; and I think it possible he may be the bearer of propositions for a middle ground between us, modifying what we have deemed indispensable; consequently that there will be time still employed in these things crossing and re-crossing the Atlantic, during which peace may take place in Europe, which of course removes all ground of dispute between us till another war. As to the Chesapeake, there is no doubt they will make satisfaction of some sort. This is my present idea of the present state of things with that country, but founded as you will perceive on possibilities only and conjectures, which one week may ascertain. I salute you with great friendship and respect.

TO ROBERT FULTON.

December 10, 1807.

Thomas Jefferson presents Mr. Fulton his thanks for the communication of his Memoir, which he has read with great satisfaction, and now returns. There is nothing in it but what will contribute to the promotion of its great object; and some of the calculations will have a very powerful effect. He salutes him with esteem and respect.

TO JOEL BARLOW.

WASHINGTON, December 10, 1807.

DEAR SIR,—I return you Mr. Law's letter, with thanks for the communication. I wish he may be a true prophet as to peace in six months. It is impossible that any other man should wish it as much as I do; although duty may control that wish. The desire of peace is very much strengthened in me by that which I feel in favor of the great subjects of yours and Mr. Fulton's letters. I had fondly hoped to set those enterprises into motion with the last legislature I shall meet. But the chance of war is an unfortunate check. I do not however despair that the proposition of amendment may be sent down this session to the legislatures. But it is not certain. There is a snail-paced gait for the advance of new ideas on the general mind, under which we must acquiesce. A forty years' experience of popular assemblies has taught me, that you must give

them time for every step you take. If too hard pushed, they balk, and the machine retrogrades. I doubt whether precedence will be given to your part of the plan before Mr. Fulton's. People generally have more feeling for canals and roads than education. However, I hope we can advance them with equal pace. If the amendment is sent out this session, returned to the next, and no war takes place, we may offer the plan to the next session in the form of a bill, the preparation of which should be the work of the ensuing summer. I salute you affectionately.

TO GENERAL JOHN MASON.

1807.[1]

Although the decree of the French government of November 21st comprehended, in its literal terms, the commerce of the United States, yet the prompt explanation by one of the ministers of that government that it was not so understood, and that our treaty would be respected, the practice which took place in the French ports conformably with that explanation, and the recent interference of that government to procure in Spain a similar construction of a similar decree there, had given well-founded expectation that it would not be extended to us; and this was much strengthened by the consideration of their obvious interests. But the information from our minister at Paris now communicated to

[1] Not dated, but probably written in December, 1807.

Congress is, that it is determined to extend the effect of that decree to us; and it is probable that Spain and the other Atlantic and Mediterranean States of Europe will co-operate in the same measure. The British regulations had before reduced us to a direct voyage to a single port of their enemies, and it is now believed they will interdict all commerce whatever with them. A proclamation too of that government (not officially, indeed, communicated to us, yet so given out to the public as to become a rule of action with them,) seems to have shut the door on all negotiation with us, except as to the single aggression on the Chesapeake.

The sum of these mutual enterprises on our national rights is that France, and her allies, reserving for further consideration the prohibiting our carrying anything to the British territories, have virtually done it, by restraining our bringing a return cargo from them; and Great Britain, after prohibiting a great proportion of our commerce with France and her allies, is now believed to have prohibited the whole. The whole world is thus laid under interdict by these two nations, and our vessels, their cargoes and crews, are to be taken by the one or the other, for whatever place they may be destined, out of our own limits. If, therefore, on leaving our harbors we are certainly to lose them, is it not better, as to vessels, cargoes, and seamen, to keep them at home? This is submitted to the wisdom of Congress, who alone are competent to provide a remedy.

TO DOCTOR CASPAR WISTAR.

WASHINGTON, December 19, 1807.

DEAR SIR,—I have never known to what family you ascribed the Wild Sheep, or Fleecy Goat, as Governor Lewis called it, or the *Potio-trajos*, if its name must be Greek. He gave me a skin, but I know he carried a more perfect one, with the horns on, to Mr. Peale; and if I recollect well those horns, they, with the fleece, would induce one to suspect it to be the Lama, or at least a *Lamæ affinis*. I will thank you to inform me what you determine it to be.

I have lately received a letter from General Clarke. He has employed ten laborers several weeks, at the Big-bone Lick, and has shipped the result, in three large boxes, down the Ohio, via New Orleans, for this place, where they are daily expected. He has sent, 1st, of the Mammoth, as he calls it, frontals, jaw-bones, tusks, teeth, ribs, a thigh, and a leg, and some bones of the paw; 2d, of what he calls the Elephant, a jaw-bone, tusks, teeth, ribs; 3d, of something of the Buffalo species, a head and some other bones unknown. My intention, in having this research thoroughly made, was to procure for the society as complete a supplement to what is already possessed as that Lick can furnish at this day, and to serve them first with whatever they wish to possess of it. There is a tusk and a femur which General Clarke procured particularly at my request, for a special kind of cabinet I have at Monticello. But the great mass of the

collection are mere duplicates of what you possess at Philadelphia, of which I would wish to make a donation to the National Institute of France, which I believe has scarcely any specimens of the remains of these animals. But how to make the selection without the danger of sending away something which might be useful to our own society? Indeed, my friend, you must give a week to this object. You cannot but have some wish to see Washington for its site, and some of its edifices, which will give you pleasure. You will see one room especially, to which Europe can show nothing superior. Baltimore, too, is an object. Take your lodgings at the tavern close by us. Mess with me every day, and in the intervals of your perlustrations of the city, Navy Yard, Capitol, etc., examine these bones, and set apart what you would wish for the society. I will give you notice when they arrive here, and then you will select a time when you can best absent yourself for a week from Philadelphia. I hope you will not deny us this great service, and I salute you with friendship and respect.

TO GENERAL WILLIAM CLARKE.

WASHINGTON, December 19, 1807.

DEAR SIR,—I have duly received your two favors of September 20th, and November 10th, and am greatly obliged, indeed, by the trouble you have been so good as to take in procuring for me as thorough a

supplement to the bones of the Mammoth as can now be had. I expect daily to receive your bill for all the expenses, which shall be honored with thanks.

The collection you have made is so considerable that it has suggested an idea I had not before. I see that after taking out for the Philosophical Society everything they shall desire, there will remain such a collection of duplicates as will be a grateful offering from me to the National Institute of France, for whom I am bound to do something. But in order to make it more considerable, I find myself obliged to ask the addition of those which you say you have deposited with your brother at Clarkesville, such as ribs, backbones, leg bones, thigh, ham hips, shoulder-blades, parts of the upper and under jaw, teeth of the Mammoth and Elephant, and parts of the Mammoth tusks, to be forwarded hereafter, if necessary.

I avail myself of these last words to ask that they may be packed and forwarded to me by the way of New Orleans, as the others have been. I do this with the less hesitation, knowing these things can be of little value to yourself or brother, so much in the way of furnishing yourselves, if desired, and because I know they will be so acceptable to an institution to which, as a member, I wish to be of some use. I salute you with great friendship and respect.

TO GENERAL GEORGE ROGERS CLARKE.

WASHINGTON, December 19, 1807.

DEAR GENERAL,—As I think it probable your brother will have left you before the enclosed comes to hand, I have left it open, and request you to read it, and do for me what it asks of him, and what he will do should he still be with you, that is to say to have the bones packed and forwarded for me to William Brown, collector at New Orleans, who will send them on to me.

I avail myself of this occasion of recalling myself to your memory, and of assuring you that time has not lessened my friendship for you. We are both now grown old. You have been enjoying in retirement the recollections of the services you have rendered your country, and I am about to retire without an equal consciousness that I have not occupied places in which others would have done more good. But in all places and times I shall wish you every happiness, and salute you with great friendship and esteem.

TO ALBERT GALLATIN.

December 24, 1807.

I think there should certainly be an inquiry into the conduct of Taylor of Ceracock, the charges being specified, of the most serious nature, and offered to be proved.

We might take a conveyance of the lands at Tar-

paulin cove, of an estate, to continue *so long as a light-house should be kept upon it, and used as a light-house*. It would not be a fee simple, but what the lawyers call a *base fee*. But it would be a bad example, and we should have all proprietors hereafter insisting on the same thing. It is better they should trust to the liberality of the United States, in giving them a pre-emption if the light-house be discontinued. It will be better to add to the absolute conveyance, such restriction of right as we consent to, to wit, that there shall be no tavern, etc., than attempt to enumerate the rights we may exercise,—*e. g.*, that we may keep cows, cultivate, etc.

I approve entirely the idea of conveying to the city of New Orleans the rights of the United States in the Batture, lately claimed by that city, and to all other Riparian possessors on the Mississippi all alluvions, and all attervisements, or shoals, left uncovered at low water, saving to navigators the right of landing, unloading, etc. But providing that the claim to the Batture, given to the city, should be decided by special commissioners, to whom the evidence and arguments in writing shall be sent, without any necessity of their going there.

Should not a bill be immediately proposed for amending the embargo law? In the meantime the revenue cutters and armed vessels must use force.

Cockle's bonds are certainly good set-offs against his Louisiana bills, and ought so to be used to save his sureties.

I am glad to find we have 4,000,000 acres west of Chafalaya. How much better to have every 160 acres settled by an able-bodied militia man, than by purchasers with their hordes of negroes, to add weakness instead of strength. Affectionate salutations

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TO THE SPEAKER OF THE HOUSE OF REPRESENTATIVES.
(JOSEPH B. VARNUM.)

WASHINGTON, December 26, 1807.

DEAR SIR,—I return you the letters you were so kind as to communicate to me, on the appointment of Dr. Waterhouse to the care of the marine hospital. When he was decided on (November 26th), no other candidate had been named to me as desiring the place.

The respectable recommendations I had received, and his station as professor of medicine in a college of high reputation, sufficiently warranted his abilities as a physician, and to these was added a fact well known, that, to his zeal, the United States were indebted for the introduction of a great blessing,—vaccination, which has extirpated one of the most loathsome and mortal diseases which has afflicted humanity some years, probably, sooner than would otherwise have taken place. It was a pleasure, therefore, as well as a duty, in dispensing the public favors, to make this small return for the great service rendered our country by Dr. Waterhouse.

That he is not a professional *surgeon* is not an

objection. The marine hospitals are medical institutions, for the relief of common seamen, and the ordinary diseases to which they are liable. To them, therefore, professional *physicians* have always been appointed.

A surgeon is named to the navy hospital. The surgeon will have medical cases under him, and the physician some surgical cases; but not in sufficient proportion to change the characters of the institutions, or of the persons to whom they are committed.

On a review of the subject, therefore, I have no reason to doubt that the person appointed will perform the services of the marine hospital with ability and faithfulness; and I feel a satisfaction in having done something towards discharging a moral obligation of the nation, to one who has saved so many of its victims from a mortal disease. Nor is it unimportant to the State in which that institution is, that it has extended his means of usefulness to the medical students of its college.

I am thankful now, as at all times, for information on the subject of appointments, even when it comes too late to be used. I know none but public motives in making them. It is more difficult and more painful than all the other duties of my office, and one in which I am sufficiently conscious that involuntary error must often be committed; and I am particularly thankful to yourself for this opportunity of explaining the grounds of the appointment in ques-

tion; and I tender you sincere assurances of my affectionate esteem and respect.

TO ALBERT GALLATIN.

WASHINGTON, December 29, 1807.

It is impossible to detest more than I do the fraudulent and injurious practice of covering foreign vessels and cargoes under the American flag; and I sincerely wish a systematic and severe course of punishment could be established. It is only as a punishment of this fraud, that we could deny to the Portuguese vessel the liberty of departing. But I do not know that a solitary and accidental instance of punishment would have any effect. The vessel is *bona fide* Portuguese, the crew Portuguese, loaded with provisions for Portugal, an unoffending and friendly country, to whom we wish no ill. I have not sufficiently considered the embargo act, to say how far the executive is at liberty to decide on these cases. But if we are free to do it, I should be much disposed to take back her American papers, and let her go, especially on giving bond and security to land the cargo in Portugal, dangers of the sea and superior force excepted. Perhaps it would be proper to require the captain to give up also his certificate of citizenship, which is also merely fraudulent, has been the ground of fraudulent conversion, and may be used on the voyage as a fraudulent cover to the cargo. Affectionate salutations.

TO ROBERT R. LIVINGSTON, ESQ.

WASHINGTON, January 3, 1808.

DEAR SIR,—Your favor of December 20th has been received. The copy of the late volume of Agricultural Proceedings is not yet at hand, but will probably come safe. I had formerly received the preceding volumes from your kindness, as you supposed. Writings on this subject are peculiarly pleasing to me, for, as they tell us, we are sprung from the earth, so to that we naturally return. It is now among my most fervent longings to be on my farm, which, with a garden and fruitery, will constitute my principal occupation in retirement. I have lately received the proceedings of the Agricultural Society of Paris. They are proceeding with enthusiasm and understanding. I have been surprised to find that the rotation of crops and substitution of some profitable growth preparatory for grain, instead of the useless and expensive fallow, is yet only dawning among them. The society has lately re-published Oliver de Serres' Theatre d'Agriculture, in 2 vols. 4to, although written in the reign of * * *. It is the finest body of agriculture extant, and especially as improved by voluminous notes, which bring its process to the present day. I lately received from Colonel Few in New York, a bottle of the oil of Beni, believed to be a sesamum. I did not believe there existed so perfect a substitute for olive oil. Like that of Florence, it has no taste, and is perhaps rather

more limpid. A bushel of seed yields three gallons of oil; and Governor Milledge, of Georgia, says the plant will grow wherever the Palmi Christi will. It is worth your attention, and you can probably get seed from Colonel Few. We are in hourly expectation of Mr. Rose here, in the hope of seeing what turn our differences with that nation are to take. As yet all is doubtful. Accept my friendly salutations, and assurances of great esteem and respect.

TO DOCTOR BENJAMIN RUSH.

WASHINGTON, January 3, 1808.

DEAR SIR,—Dr. Waterhouse has been appointed to the Marine Hospital of Boston, as you wished. It was a just though small return for his merit, in introducing the vaccination earlier than we should have had it. His appointment there makes some noise there and here, being unacceptable to some; but I believe that schismatic divisions in the medical fraternity are at the bottom of it. My usage is to make the best appointment my information and judgment enable me to do, and then fold myself up in the mantle of conscience, and abide unmoved the peltings of the storm. And oh! for the day when I shall be withdrawn from it; when I shall have leisure to enjoy my family, my friends, my farm and books!

In the ensuing autumn, I shall be sending on to Philadelphia a grandson of about fifteen years of age, to whom I shall ask your friendly attentions. With-

out that bright fancy which captivates, I am in hopes he possesses sound judgment and much observation; and, what I value more than all things, good humor. For thus I estimate the qualities of the mind: 1, good humor; 2, integrity; 3, industry; 4, science. The preference of the first to the second quality may not at first be acquiesced in; but certainly we had all rather associate with a good-humored, light-principled man, than with an ill-tempered rigorist in morality.

We are here in hourly expectation of seeing Mr. Rose, and of knowing what turn his mission is to give to our present differences. The embargo is salutary. It postpones war, gives time and the benefits of events which that may produce; particularly that of peace in Europe, which will postpone the causes of difference to the next war. I salute you with great affection and respect.

TO JOHN TAYLOR, ESQ.

WASHINGTON, January 6, 1808.

DEAR SIR,—Your ingenious friend, Mr. Martin, formerly made for me a drill of very fine construction. I am now very desirous of sending one of them to the Agricultural Society of Paris, with whom I am in correspondence, and who are sending me a plough supposed to be of the best construction ever known. On trial with their best ploughs, by a dynamometer, it is drawn by from one-half to two-thirds of the force

requisite to their best former ploughs. Will you be so good as to get Mr. Martin to make me one of his best drills, sparing no pains to make the workmanship worthy of the object, to pack it in a box, and contrive it for me to Fredericksburg. The cost shall be remitted him as soon as known. I see by the agricultural transactions of the Paris Society, they are cultivating the Jerusalem artichoke for feeding their animals. They make 10,000 lb. to the acre, which they say is three times as much as they generally make of the potato. The African Negroes brought over to Georgia a seed which they called beni, and the botanists sesamum. I lately received a bottle of the oil, which was eaten with salad by various companies. All agree it is equal to the olive oil. A bushel of seed yields three gallons of oil. I propose to cultivate it for my own use at least. The embargo keeping at home our vessels, cargoes and seamen, saves us the necessity of making their capture the cause of immediate war; for, if going to England, France had determined to take them, if to any other place, England was to take them. Till they return to some sense of moral duty, therefore, we keep within ourselves. This gives time. Time may produce peace in Europe; peace in Europe removes all causes of difference, till another European war; and by that time our debt may be paid, our revenues clear, and our strength increased.

I salute you with great friendship and respect.

TO ALBERT GALLATIN.

January 7, 1808.

I think with you that the establishment of posts of delivery at Green Bay and Chicago, would only furnish pretexts for not entering at Mackinac; and that a new post at the falls of St. Mary's, requiring a military post to be established there, would not quit cost, nor is this a time to be multiplying small establishments.

The collector should have his eye on the schooner Friends on her return, and though proof may be difficult, harass them with a prosecution.

I see nothing in the case of the Swedish captain which can produce doubt. The law is plain that a foreign vessel may go with the load she had on board and no more. The exception as to vessels under the President's direction, can only be meant to embrace governmental cases, such as advice vessels, such as permitting foreign seamen to be shipped to their own country.

With respect to the Four Brothers, I know not what can be done, unless the amendatory law would authorize the collector to detain on circumstances of strong suspicion, until he can refer the case here, and give a power to detain finally on such grounds.

Have you thought of the Indian drawback? The Indians can be kept in order only by commerce or war. The former is the cheapest. Unless we can induce individuals to employ their capital in that

trade, it will require an enormous sum of capital from the public treasury, and it will be badly managed. A drawback for four or five years is the cheapest way of getting that business off our hands. Affectionate salutations.

TO ROBERT SMITH.

January 7, 1808.

Proceeding as we are to an extensive construction of gunboats, there are many circumstances to be considered and agreed on, viz.:

1. How many shall we build? for the debate lately published proves clearly it was not expected we should build the whole number proposed.

2. Of what size, and how many of each size?

3. What weight of metal shall each size carry? shall carronades be added?

4. Is it not best, as they will not be seasoned, to leave them unsealed awhile?

5. Where shall they be built, and when required to be in readiness?

6. As a small proportion only will be kept afloat, in time of peace, the *safe* and *convenient* depositories for those laid up should be inquired into and agreed on, and sheds erected under which they may be covered from the sun and rain.

7. To economize the navy funds of the ensuing year, we should determine how many of the boats now in service ought to be kept in each, and for

how many we will depend on the seaport in case of attack.

The first of these subjects may require a general consultation, and perhaps the seventh also. The others are matters of detail which may be determined on between you and myself. I shall be ready to consult with you on them at your convenience. Affectionate salutations.

TO THE SECRETARY OF WAR.
(HENRY DEARBORN.)

WASHINGTON, January 8, 1808.

DEAR SIR,—Your letter of December 29th brings to my mind a subject which never has presented itself but with great pain, that of your withdrawing from the administration, before I withdraw myself. It would have been to me the greatest of consolations to have gone through my term with the same coadjutors, and to have shared with them the merit, or demerit, of whatever good or evil we may have done. The integrity, attention, skill, and economy with which you have conducted your department, have given me the most complete and unqualified satisfaction, and this testimony I bear to it with all the sincerity of truth and friendship; and should a war come on, there is no person in the United States to whose management and care I could commit it with equal confidence. That you as well as myself, and all our brethren, have maligners, who from ill-temper,

or disappointment, seek opportunities of venting their angry passions against us, is well known, and too well understood by our constituents to be regarded. No man who can succeed you will have fewer, nor will any one enjoy a more extensive confidence through the nation. Finding that I could not retain you to the end of my term, I had wished to protract your stay, till I could with propriety devolve on another the naming of your successor. But this probably could not be done till about the time of our separation in July. Your continuance however, till after the end of the session, will relieve me from the necessity of any nomination during the session, and will leave me only a chasm of two or three months over which I must hobble as well as I can. My greatest difficulty will arise from the carrying on the system of defensive works we propose to erect. That these should have been fairly under way, and in a course of execution, under your direction, would have peculiarly relieved me; because we concur so exactly in the scale on which they are to be executed. Unacquainted with the details myself, I fear that when you are gone, aided only by your chief clerk, I shall be assailed with schemes of improvement and alterations which I shall be embarassed to pronounce on, or withstand, and incur augmentations of expense, which I shall not know how to control. I speak of the interval between the close of this session, when you propose to retire, and the commencement of our usual recess in July.

Because during that recess, we are in the habit of leaving things to the chief clerks; and, by the end of it, my successor may be pretty well known, and prevailed on to name yours. However, I am so much relieved by your ekeing out your continuance to the end of the session, that I feel myself bound to consult your inclinations then, and to take on myself the difficulties of the short period then ensuing. In public or in private, and in all situations, I shall retain for you the most cordial esteem, and satisfactory recollections of the harmony and friendship with which we have run our race together; and I pray you now to accept sincere assurances of it, and of my great respect and attachment.

TO MESSRS. MAESE, LEYBERT AND DICKERSON, OF THE AMERICAN PHILOSOPHICAL SOCIETY.

WASHINGTON, January 9, 1808.

GENTLEMEN,—I duly received your favor of the 1st instant, informing me that at an election of officers of the American Philosophical Society, held at their hall on that day, they were pleased unanimously to elect me as their President for the ensuing year. I repeat, with great sensibility, my thanks to the Society for these continued proofs of their good will, and my constant regret that distance and other duties deny me the pleasure of performing at their meetings the functions assigned to me, and of enjoying an intercourse with them which of all others

would be the most gratifying to me. Thus circumstanced I can only renew assurances of my devotion to the objects of the Institution, and that I shall avail myself with peculiar pleasure of every occasion which may occur of promoting them, and of being useful to the Society.

I beg leave through you, Gentlemen, to present them the homage of my dutiful respects, and that you will accept yourselves, the assurances of my high consideration and esteem.

TO ALBERT GALLATIN.

January 10, 1808.

I find Bastrop's case less difficult than I had expected. My view of it is this: The Governor of Louisiana being desirous of introducing the culture of wheat into that province, engages Bastrop as an agent for carrying that object into effect. He agrees to lay off twelve leagues square on the Washita and Bayou land, as a settlement for the culture of wheat, to which Bastrop is to bring five hundred families, each of which families is to have four hundred arpens of the land; the residue of the twelve leagues square, we may understand, was to be Bastrop's premium. The government was to bear the expenses of bringing these emigrants from New Madrid, and was to allow them rations for six months,—Bastrop undertaking to provide the rations, and the government paying a real and a half for each.

Bastrop binds himself to settle the five hundred families in three years, and the Governor especially declares that if within that time the major part of the establishment shall not have been made good, the *twelve leagues square*, destined for Bastrop's settlers, shall be occupied by the families first presenting themselves for that purpose. Bastrop brings on some settlers,—how many does not appear, and the Intendant, from a want of funds, suspends further proceeding in the settlement until the King's decision. [His decision of what? Doubtless whether the settlement shall proceed on these terms, and the funds be furnished by the King? or shall be abandoned?] He promises Bastrop, at the same time, that the former limitation of three years shall be extended to two years, after the course of the contract shall have again commenced to be executed, and the determination of the King shall be made known to Bastrop. Here, then, is a complete suspension of the undertaking until the King's decision, and his silence from that time till, and when, he ceded the province, must be considered as an abandonment of the project.

There are several circumstances in this case offering ground for question, whether Bastrop is entitled to any surplus of the lands. But this will be an investigation for the Attorney General. But the uttermost he can claim is a surplus proportioned to the number of families he settled, that is to say, a quota of land bearing such a proportion to the num-

ber of families he settled, (deducting four hundred arpens for each of them,) as one hundred and forty-four square leagues bear to the whole number of five hundred families. The important fact therefore to be settled, is the number of families he established there before the suspension.

The Marquis du Maison Rouge (under whom Mr. Clarke claims) was to have thirty square leagues on the Washita, for settling thirty families, none of them to be Americans. The lands were located and appropriated under the terms and conditions stipulated and contracted for by the said Marquis. What these were we are not told. The grantee must prove his grant by producing it. That will prove what the conditions were, and then he must prove these conditions performed.

Livingston's argument does not establish the fact that the lands between the staked line and the river, (if they belonged to the Jesuits,) were conveyed to Gravier.

It is impossible to consider the indulgence to the Apelousas as anything more than a *voluntary* permission from the government to use the timber on the ungranted lands, until they should be granted to others. It could never be intended to keep that country forever unsettled, as appears by expressly reserving the right of soil. But I think we should continue the permission until we sell the lands.

These opinions are, of course, not to be considered as decisions, (for that is not my province,) but as

general ideas of the rights of the United States, to be kept in view on the settlement.

The appropriation of the lots in New Orleans must certainly be suspended, until we get the supplementary information promised. Affectionate salutations.

TO WILLIAM WIRT, ESQ.

WASHINGTON, January 10, 1808.

DEAR SIR,—I pray you that this letter may be sacredly secret, because it meddles in a line wherein I should myself think it wrong to intermeddle, were it not that it looks to a period when I shall be out of office, but others might think it wrong notwithstanding that circumstance. I suspected, from your desire to go into the army, that you disliked your profession, notwithstanding that your prospects in it were inferior to none in the State. Still I know that no profession is open to stronger antipathies than that of the law. The object of this letter, then, is to propose to you to come into Congress. That is the great commanding theatre of this nation, and the threshold to whatever department of office a man is qualified to enter. With your reputation, talents, and correct views, used with the necessary prudence, you will at once be placed at the head of the republican body in the House of Representatives; and after obtaining the standing which a little time will ensure you, you may look, at your own will, into the military, the

judiciary, diplomatic, or other civil departments, with a certainty of being in either whatever you please. And in the present state of what may be called the eminent talents of our country, you may be assured of being engaged through life in the most honorable employments. If you come in at the next election, you will begin your course with a new administration. That administration will be opposed by a faction, small in numbers, but governed by no principle but the most envenomed malignity. They will endeavor to batter down the executive before it will have time, by its purity and correctness, to build up a confidence with the people, founded on experiment. By supporting them you will lay for yourself a broad foundation in the public confidence, and indeed you will become the Colossus of the republican government of your country. I will not say that public life is the line for making a fortune. But it furnishes a decent and honorable support, and places one's children on good grounds for public favor. The family of a beloved father will stand with the public on the most favorable ground of competition. Had General Washington left children, what would have been denied to them?

Perhaps I ought to apologize for the frankness of this communication. It proceeds from an ardent zeal to see this government (the idol of my soul) continue in good hands, and from a sincere desire to see you whatever you wish to be. To this apology I shall only add my friendly salutations, and assurances of sincere esteem and respect.

TO ROBERT SMITH.

January 14, 1808.

I return you Chauncey's letter. I am sorry to see the seamen working for rations only, and that we cannot allow even them. And further, indeed, that we shall be under the necessity of discharging a number of those we have. This is so serious a question that I propose to call a consultation on it a day or two hence. Our sixty-four gunboats and ketches may certainly be reduced to ten seamen each, at least I have at various times had the opinions of nearly all our naval captains, that from eight to ten men are sufficient to keep a gunboat clean and in order, to navigate her in harbor, and to look out of it. This would give us a reduction of about four hundred men. But even this will not bring it within the estimate. However, what is to be done, is the question on which I shall propose a consultation. I send you a letter of a Mr. Walton, of Baltimore, for perusal, merely as it suggests ideas worth looking at. I confess, I think our *naval militia* plan, both as to name and structure, better for us than the English plan of seafencibles.

I ought to be in possession of a former letter from the same person, but not finding it among my papers, am induced to ask whether I sent it to you? Affectionate salutations.

TO ROBERT SMITH

January 15, 1808.

To the letter from Mr. Davy, of the committee of the chamber of commerce, of Philadelphia, (which I now return you,) I think you may say in answer, that you had communicated it to the President, and were authorized to say that the Government of the United States have no present views of forming new harbors for the reception of their vessels of war: that under the authority, and with the means, lately given by the Legislature to the executive, it is intended to furnish means of defence, by land and water, to the several harbors of the United States, in proportion to their importance and local circumstances: that all the points to be defended are not yet definitively decided on; but that in reviewing them, the harbor proposed by the chamber of commerce, to be formed near Lewistown, will be considered, and will have a just participation in the provisions for protection, in the first place according to its present circumstances, and hereafter according to any new importance which shall have been given it by being made a place of greater resort for merchant vessels. Affectionate salutations.

TO MR. J. DORSEY.

WASHINGTON, January 21, 1808.

SIR,—I have to acknowledge the receipt of your favor of December 20th, and am much pleased

to find our progress in manufactures to be so great. That of cotton is peculiarly interesting, because we raise the raw material in such abundance, and because it may, to a great degree, supply our deficiencies both in wool and linen. A former application on behalf of Messrs. Binney & Robertson, was delivered to the Secretary of State, who will engage General Armstrong to aid such measures as they may take in Paris for obtaining permission to draw supplies of antimony from thence.

It will give me real pleasure to see some good system of measures and weights introduced and combined with the decimal arithmetic. It is a great and difficult question whether to venture only on a half reformation, which by presenting fewer innovations, may be more easily adopted, or, as the French have tried with success, make a radical reform. Your plan presents as few innovations as any I have seen; but I think your *foot* should refer to the pendulum, by saying, for instance, that the *foot* shall be a measure which shall be to the second pendulum as 1 to 3, 267; or rather as 1 to the length of a pendulum vibrating seconds in latitude 45°. This offers a standard in every place, because it can everywhere be found. The rod you propose is only to be found in Philadelphia. You say in your letter that "if the decimal mode obtain in the division of the pound, the Troy and it, as regards the Troy grain, would be the same." I do not understand this; because the Avoirdupois pound containing 7,000 Troy grains, I

do not see how any decimal subdivision of the pound could coincide with the Troy grain. However, I shall be very glad to see adopted whatever measure is most promising. I salute you with esteem and respect.

TO THE REV. SAMUEL MILLER.

WASHINGTON, January 23, 1808.

SIR,—I have duly received your favor of the 18th, and am thankful to you for having written it, because it is more agreeable to prevent than to refuse what I do not think myself authorized to comply with. I consider the government of the United States as interdicted by the Constitution from intermeddling with religious institutions, their doctrines, discipline, or exercises. This results not only from the provision that no law shall be made respecting the establishment or free exercise of religion, but from that also which reserves to the States the powers not delegated to the United States. Certainly, no power to prescribe any religious exercise, or to assume authority in religious discipline, has been delegated to the General Government. It must then rest with the States, as far as it can be in any human authority. But it is only proposed that I should *recommend*, not prescribe a day of fasting and prayer. That is, that I should *indirectly* assume to the United States an authority over religious exercises, which the Constitution has directly precluded them from. It must

be meant, too, that this recommendation is to carry some authority, and to be sanctioned by some penalty on those who disregard it; not indeed of fine and imprisonment, but of some degree of proscription, perhaps in public opinion. And does the change in the nature of the penalty make the recommendation less a *law* of conduct for those to whom it is directed? I do not believe it is for the interest of religion to invite the civil magistrate to direct its exercises, its discipline, or its doctrines; nor of the religious societies, that the General Government should be invested with the power of effecting any uniformity of time or matter among them. Fasting and prayer are religious exercises; the enjoining them an act of discipline. Every religious society has a right to determine for itself the times for these exercises, and the objects proper for them, according to their own particular tenets; and this right can never be safer than in their own hands, where the Constitution has deposited it.

I am aware that the practice of my predecessors may be quoted. But I have ever believed, that the example of State executives led to the assumption of that authority by the General Government, without due examination, which would have discovered that what might be a right in a State government, was a violation of that right when assumed by another. Be this as it may, every one must act according to the dictates of his own reason, and mine tells me that civil powers alone have been given to the President

of the United States, and no authority to direct the religious exercises of his constituents.

I again express my satisfaction that you have been so good as to give me an opportunity of explaining myself in a private letter, in which I could give my reasons more in detail than might have been done in a public answer; and I pray you to accept the assurances of my high esteem and respect.

TO JOEL BARLOW.

January 24, 1808.

Thomas Jefferson returns thanks to Mr. Barlow for the copy of the Columbiad he has been so kind as to send him; the eye discovers at once the excellence of the mechanical execution of the work, and he is persuaded that the mental part will be found to have merited it. He will not do it the injustice of giving it such a reading as his situation here would admit, of a few minutes at a time, and at intervals of many days. He will reserve it for that retirement after which he is panting, and not now very distant, where he may enjoy it in full concert with its kindred scenes, amidst those rural delights which join in chorus with the poet, and give to his song all its magic effect. He salutes Mr. Barlow with friendship and respect.

TO HIS EXCELLENCY GOVERNOR DANIEL D. TOMKINS.[1]

WASHINGTON, January 26, 1808.

SIR,—I take the liberty of enclosing to you the copy of an application which I have received from a portion of the citizens of the State of New York, residing on the river St. Lawrence and Lake Ontario, setting forth their very defenceless situation for the want of arms, and praying to be furnished from the magazines of the United States. Similar applications from other parts of our frontier in every direction have sufficiently shown that did the laws permit such a disposition of the arms of the United States, their magazines would be completely exhausted, and nothing would remain for actual war. But it is only when troops take the field, that the arms of the United States can be delivered to them. For the ordinary safety of the citizens of the several States, whether against dangers within or without, their reliance must be on the means to be provided by their respective States. Under these circumstances I have thought it my duty to transmit to you the representation received, not doubting that you will have done for the safety of our fellow citizens, on a part of our frontier so interesting and so much exposed, what their situation requires, and the means under your control may permit.

Should our present differences be amicably settled, it will be a question for consideration whether we

[1] Governor of New York.

should not establish a strong post on the St. Lawrence, as near our northern boundary as a good position can be found. To do this at present would only produce a greater accumulation of hostile force in that quarter. I pray you to accept the assurances of my high respect and esteem.

TO JACOB J. BROWN, ESQ.

WASHINGTON, January 27, 1808.

SIR,—The representation of the county of Jefferson, in New York, of which you are chairman, stating their want of arms, and asking a supply, has been duly received and considered. I learn with great concern that a portion of our frontier so interesting, so important, and so exposed, should be so entirely unprovided with common fire-arms. I did not suppose any part of the United States so destitute of what is considered as among the first necessaries of a farm-house. This circumstance gives me the more concern as the laws of the United States do not permit their arms to be delivered from the magazines but to troops actually taking the field; and, indeed, were the inhabitants on the whole of our frontier, of so many thousands of miles, to be furnished from our magazines, little would be left in them for actual war. For the ordinary safety of the citizens of the several States, whether against dangers from within or without, reliance has been placed either on the domestic means of the

individuals, or on those provided by the respective States. What those means are in the State of New York, I am not informed; but I have transmitted your representation to Governor Tomkins, with an earnest recommendation of it to his attention; and I have no doubt that his solicitude for the welfare and safety of a portion so eminently exposed of those under his immediate care, will ensure to you whatever his authority and his means will permit.

That an attack should be made on you by your neighbors, while the state of peace continues, cannot be supposed; nor is it certain that that condition of things will be interrupted. Should, however, war take place, if first declared by us, your safety will of course have been previously provided for: if by the other party, it cannot be before the measures now in preparation will be in readiness to secure you. Should our present differences be amicably settled, a new post on the St. Lawrence, as near our northern boundary as a good position can be found, will be worthy of consideration. At present it would only produce a greater accumulation of hostile force in your neighborhood, and if we should have war, it would soon become unimportant.

On the whole, while I am in hopes that your State will provide by the loan of arms, for your immediate safety and confidence, you may be assured that such measures shall be in readiness, and in reach, on the part of the General Govern-

ment, as aided by your own efforts, will effectually secure you from the dangers you apprehend.

I cannot conclude without expressing to you the satisfaction with which I have received the patriotic assurance of your best services, should they be needed in your country's cause. They are worthy of the citizens of a free country, who know and properly estimate the value of self-government, and are the more acceptable as from a quarter where they will be most important.

I beg leave to assure yourself, and through you the committee, of my great consideration and respect.

TO JACOB J. BROWN.

WASHINGTON, January 27, 1808.

SIR,—The substance of the enclosed letter, so far as is necessary for the satisfaction of our fellow citizens, should be communicated to them. But the letter itself should not be published, nor be permitted to be copied. Because the source from which it comes will occasion every word of it to be weighed by your neighbors on the opposite shore, and every inference to be drawn of which it is susceptible. To aid their information as to our views, would give them an advantage to our own prejudice. I salute you with respect.

TO EDWARD TIFFIN.

January 30, 1808.

Thomas Jefferson returns the enclosed to Mr. Tiffin with his thanks for the communication. He cannot foresee what shape Burr's machinations will take next. If we have war with Spain, he will become a Spanish General. If with England, he will go to Canada and be employed there. Internal convulsion may be attempted if no game more hopeful offers. But it will be a difficult one, and the more so as having once failed.

TO WILLIAM M'INTOSH.

WASHINGTON, January 30, 1808.

SIR,—I received some days ago your letter of December 15th, covering a copy of the resolutions of the French inhabitants of Vincennes of September 18th, in answer to the address of Governor Harrison, who had, in the month of October, forwarded me a copy of the same. In his letter enclosing it he assured me that his address to them on the subject of our differences with England was merely monitory, putting them on their guard against insinuations from any agents of that country, who might find their way among them, and containing no expression, which if truly explained to them, should have conveyed the least doubt of his confidence in their fidelity to the United States. I had hoped,

therefore, that the uneasiness expressed in their resolutions had been done away by subsequent explanations, as I have no reason to believe any such distrust existed in the Governor's mind. I can assure them that he never expressed such a sentiment in any of his communications to me, but that whenever he has had occasion to speak of them, it has been in terms of entire approbation and attachment. In my own mind certainly no doubts of their fidelity have ever been excited or existed. Having been the Governor of Virginia when Vincennes and the other French settlements of that quarter surrendered to the arms of that State, twenty-eight years ago, I have had a particular knowledge of their character as long perhaps as any person in the United States, and in the various relations in which I have been placed with them by the several offices I have since held, that knowledge has been kept up. And to their great honor I can say that I have ever considered them as sober, honest, and orderly citizens, submissive to the laws, and faithful to the nation of which they are a part. And should occasion arise of proving their fidelity in the cause of their country, I count on their aid with as perfect assurance as on that of any other part of the United States. In return for this confidence, and as an additional proof on their part that it is not misplaced, I ask of them a return to a perfect good understanding with their Governor, and to that respect for those

in authority over them, which has hitherto so honorably marked their character. As to myself they may be assured that my confidence in them is undiminished, and that nothing will be wanting on the part of the General Government to secure them in the full participation of all the rights civil and religious which are enjoyed by their fellow citizens in the Union at large.

I beg leave through you to salute them, as well as yourself, with affection and respect.

TO GOVERNOR WILLIAM H. HARRISON.[1]

WASHINGTON, January 30, 1808.

DEAR SIR,—I duly received your letter of October 10th, covering the resolutions of the French inhabitants of Vincennes, and had hoped that their uneasiness under your supposed want of confidence in them had subsided. But a letter lately received from their chairman, covering another copy of the same resolutions, induces me to answer them, in order to quiet all further uneasiness. I enclose you my answer, open for your perusal, and will thank you to seal and deliver it. I have expressed to them the opinion I have long entertained of the ancient Canadian French, on a long course of information, and as it is favorable to them, I trust it will be soothing, and restore those good dispositions which will ease the execution of your duties, and tend to

[1] Governor of Indiana Territory.

produce that union which the present crisis calls for.

Russia and Portugal have cut off all intercourse with England; their ambassadors re-called, and war follows of course. Our difficulties with her are great, nor can it yet be seen how they will terminate.

Accept my salutations, and assurances of great respect and esteem.

TO ALBERT GALLATIN.

February 8, 1808.

In questions like the present, important neither in principle nor amount, I think the collectors should decide for themselves, and especially as they, and they only, are the legally competent judges; for I believe the law makes them the judges of the security. If the indulgence proposed be within the intentions of the law, they can grant it; if it be not, we cannot. But it is the practice in all cases for the officer who is charged with the taking security, to be indulgent in a hard case, as where the person is a stranger, could he not take hypothecations of their vessels? although the law may not specially authorize this, yet the collector can take it as counter security for himself, and he can assign it to the government. Affectionate salutations.

TO ALBERT GALLATIN.

February 10, 1808.

It would certainly be very desirable that our citizens should be able to draw home their property from beyond sea, and it is possible that Mr. Parish's proposition might be instrumental to that. But it would be too bold an extension of the views of the Legislature in the portion of discretion they have given us. They could not mean to give us so extensive a power of dispensation as would result from the duty of giving special licenses to merchants, and such a power, guided by no Legislative regulations, would be liable to great abuse, and greater complaints of it. I see, therefore, neither justification nor safety in leaving the ground we have taken of confining the discretionary power given us to the public correspondence and public interests. If the drawing this mass of specie here could be any way connected with any direct public operation, the danger of the precedent would be guarded against; but as it is presented to us, I think it inadmissible. Affectionate salutations.

TO ROBERT SMITH.

February 14, 1808.

I believe we must employ some of our gunboats to aid in the execution of the embargo law. Some British ships in the Delaware, one of them loaded

with fifteen hundred barrels of flour for Jamaica, another armed as a letter of marque, openly mean to go out by force. The last is too strong for the revenue cutters. Mr. Brice also, of Baltimore, asks armed assistance. I see nothing at present to prevent our sparing a couple of gunboats from New York to go into the Delaware, and a couple from Norfolk to come up to the head of the Bay. Will this interfere with more important duties? Affectionate salutations.

TO ALBERT GALLATIN.

February 14, 1808.

I have written to Mr. Smith, proposing to order a couple of gunboats from New York into the Delaware, and two from Norfolk to the head of the bay. I hope the passage of naval stores into Canada will be prevented. I enclose for your information the account of a silver mine to fill your treasury. Affectionate salutations.

TO DANIEL SALMON.

WASHINGTON, February 15, 1808.

SIR,—I have duly received your letter of the 8th instant, on the subject of the stone in your possession, supposed meteoric. Its descent from the atmosphere presents so much difficulty as to require careful examination. But I do not know that the

most effectual examination could be made by the members of the National Legislature, to whom you have thought of exhibiting it. Some fragments of these stones have been already handed about among them. But those most highly qualified for acting in *their* stations, are not necessarily supposed most familiar with subjects of natural history; and such of them as have that familiarity, are not in situations here to make the investigation. I should think that an inquiry by some one of our scientific societies, as the Philosophical Society of Philadelphia for example, would be most likely to be directed with such caution and knowledge of the subject, as would inspire a general confidence. We certainly are not to deny whatever we cannot account for. A thousand phenomena present themselves daily which we cannot explain, but where facts are suggested, bearing no analogy with the laws of nature as yet known to us, their verity needs proofs proportioned to their difficulty. A cautious mind will weigh well the opposition of the phenomenon to everything hitherto observed, the strength of the testimony by which it is supported, and the errors and misconceptions to which even our senses are liable. It may be very difficult to explain how the stone you possess came into the position in which it was found. But is it easier to explain how it got into the clouds from whence it is supposed to have fallen? The actual fact however is the thing to be established, and this I hope will be done by those whose situations and qualifi-

cations enable them to do it. I salute you with respect.

TO ANTHONY G. BETTAY.

WASHINGTON, February 18, 1808.

SIR,—I have duly received your letter of January 27th. With respect to the silver mine on the river Platte, 1,700 miles from St. Louis, I will observe that in the present state of things between us and Spain, we could not propose to make an establishment at that distance from all support. It is interesting, however, that the knowledge of its position should be preserved, which can be done either by confiding it to the government, who will certainly never make use of it without an honorable compensation for the discovery to yourself or your representatives, or by placing it wherever you think it safest.

I should be glad of a copy of any sketch or account you may have made of the river Platte, of the passage from its head across the mountains, and of the river Cashecatungo, which you suppose to run into the Pacific. This would probably be among the first exploring journeys we undertake after a settlement with Spain, as we wish to become acquainted with all the advantageous water connections across our continent.

I shall be very glad to receive some seed of the silk nettle which you describe, with a view to have

it raised, and its uses tried. I have not been able to find that any of your delegates here has received it. If you would be so good as to send me a small packet of it by post, it will come safely, and I will immediately commit it to a person who will try it with the utmost care. I salute you with respect.

TO COLONEL JAMES MONROE.

WASHINGTON, February 18, 1808.

MY DEAR SIR,—You informed me that the instruments you had been so kind as to bring for me from England, would arrive at Richmond with your baggage, and you wished to know what was to be done with them there. I will ask the favor of you to deliver them to Mr. Jefferson, who will forward them to Monticello in the way I shall advise him. And I must entreat you to send me either a note of their amount, or the bills, that I may be enabled to reimburse you. There can be no pecuniary matter between us, against which this can be any set-off. But if, contrary to my recollection or knowledge, there were anything, I pray that that may be left to be settled by itself. If I could have known the amount beforehand, I should have remitted it, and asked the advance only under the idea that it should be the same as ready money to you on your arrival. I must again, therefore, beseech you to let me know its amount.

I see with infinite grief a contest arising between

yourself and another, who have been very dear to each other, and equally so to me. I sincerely pray that these dispositions may not be affected between you; with me I confidently trust they will not. For independently of the dictates of public duty, which prescribes neutrality to me, my sincere friendship for you both will ensure its sacred observance. I suffer no one to converse with me on the subject. I already perceive my old friend Clinton, estranging himself from me. No doubt lies are carried to him, as they will be to the other two candidates, under forms which, however false, he can scarcely question. Yet I have been equally careful as to him also, never to say a word on this subject. The object of the contest is a fair and honorable one, equally open to you all; and I have no doubt the personal conduct of all will be so chaste, as to offer no ground of dissatisfaction with each other. But your friends will not be as delicate. I know too well from experience the progress of political controversy, and the exacerbation of spirit into which it degenerates, not to fear for the continuance of your mutual esteem. One piquing thing said draws on another, that a third, and always with increasing acrimony, until all restraint is thrown off, and it becomes difficult for yourselves to keep clear of the toils in which your friends will endeavor to interlace you, and to avoid the participation in their passions which they will endeavor to produce. A candid recollection of what you know of each other will be the true corrective. With respect to myself,

I hope they will spare me. My longings for retirement are so strong, that I with difficulty encounter the daily drudgeries of my duty. But my wish for retirement itself is not stronger than that of carrying into it the affections of all my friends. I have ever viewed Mr. Madison and yourself as two principal pillars of my happiness. Were either to be withdrawn, I should consider it as among the greatest calamities which could assail my future peace of mind. I have great confidence that the candor and high understanding of both will guard me against this misfortune, the bare possibility of which has so far weighed on my mind, that I could not be easy without unburdening it.

Accept my respectful salutations for yourself and Mrs. Monroe, and be assured of my constant and sincere friendship.

TO JOSEPH BRINGHURST.

WASHINGTON, February 24, 1808.

SIR,—I have to acknowledge the receipt of your letter of the 16th. It gave me the first information of the death of our distinguished fellow citizen, John Dickinson. A more estimable man, or truer patriot, could not have left us. Among the first of the advocates for the rights of his country when assailed by Great Britain, he continued to the last the orthodox advocate of the true principles of our new government, and his name will be consecrated in history

as one of the great worthies of the revolution. We ought to be grateful for having been permitted to retain the benefit of his counsel to so good an old age; still, the moment of losing it, whenever it arrives, must be a moment of deep-felt regret. For himself, perhaps, a longer period of life was less important, alloyed as the feeble enjoyments of that age are with so much pain. But to his country every addition to his moments was interesting. A junior companion of his labors in the early part of our revolution, it has been a great comfort to me to have retained his friendship to the last moment of his life.

Sincerely condoling with his friends on this affecting loss, I beg leave to tender my salutations to yourself, and assurances of my friendly respects.

TO THE SPEAKER OF THE HOUSE OF REPRESENTATIVES.
(JOSEPH B. VARNUM.)

WASHINGTON, February 27, 1808.

DEAR SIR,—I enclose you a copy of Armstrong's letter, covering the papers sent to Congress. The date was blank, as in the copy; the letter was so immaterial that I had really forgotten it altogether when I spoke with you last night. I feel myself much indebted to you for having given me this private opportunity of showing that I have kept back nothing material. That the federalists and a few others should by their vote make such a charge on

me, is never unexpected. But how can any join in it who call themselves friends? The President sends papers to the House, which he thinks the public interest requires they should see. They immediately pass a vote, implying irresistibly their belief that he is capable of having kept back other papers which the same interest requires they should see. They pretend to no direct proof of this. It must, then, be founded in presumption; and on what act of my life or of my administration is such a presumption founded? What interest can I have in leading the Legislature to act on false grounds? My wish is certainly to take that course with the public affairs which the body of the Legislature would prefer. It is said, indeed, that such a vote is to satisfy the federalists and their partisans. But were I to send twenty letters, they would say, "You have kept back the twenty-first; send us that." If I sent one hundred, they would say, "There were one hundred and one;" and how could I prove the negative? Their malice can be cured by no conduct; it ought, therefore, to be disregarded, instead of countenancing their imputations by the sanction of a vote. Indeed I should consider such a vote as a charge, in the face of the nation, calling for a serious and public defence of myself. I send you a copy, that you may retain it, and make such use of it among our friends as your prudence and friendship will deem best.

I salute you with great affection and respect.

TO ALBERT GALLATIN.

February 28, 1808.

There is no source from whence our fair commerce derives so much vexation, or our country so much danger of war, as from forged papers and fraudulent voyages. Nothing should, in my opinion, be spared, either of trouble or expense on our part, to aid all nations in detecting and punishing them. I would, therefore, certainly direct Mr. Gelston to furnish Heinecher with every proof in his power, and to assure him that it shall be done on all occasions. Would it not be well to give this assurance to all the foreign consuls? It would at least show the world that this government does not countenance those frauds; and should not instructions be given to all the collectors to furnish all proofs in their power on demand? The three Englishmen will, I presume, be punished by the laws of Holland, either as spies, or prisoners of war. If their laws will not take hold of our scoundrel, Gardner, of the Jane, perhaps that government would put him on board a vessel, under the order of our consul, to be brought and punished here for the forgery of papers. Would it not be well to put a summary statement of this case, and of our orders on the occasion, into Smith's paper? Would it be amiss even to send it to Congress by message, with a recommendation to provide punishments against this practice? Affectionate salutations.

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ALBERT ELLERY BERGH
EDITOR

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JEFFERSON'S PASSPORTS TO IMMORTALITY.[1]

Gentlemen of the Jefferson Club:—I have discharged with pleasure the duty which your kindness assigned me, and we now look upon the bust of him whose genius and prophetic foresight gave to our country the soil upon which this great city stands.

Thomas Jefferson wrote his own epitaph. Amongst his papers, after death, was found a rough sketch in ink of an obelisk to be made in granite, eight feet in height, with the inscription:

Here was buried

THOMAS JEFFERSON,

Author of the Declaration of American Independence,

of

The Statute of Virginia for Religious Freedom,

and

Father of the University of Virginia.

It is a significant epitaph, and worthy of him who wrote it. Jefferson had been a member of the Virginia House of Burgesses and of the Continental Congress, Governor of Virginia, Minister to France,

[1] An address delivered by Hon. George G. Vest before the Jefferson Club of St. Louis, Mo., October 31, 1895, on the occasion of unveiling a bronze bust of Thomas Jefferson, by Benjamin Harney.

Secretary of State, Vice-President and President of the United States, but none of these honors or titles are upon the stone which marked his grave. True to his convictions, shown by every public and private act, the sworn enemy of parade, sham and ostentation, the stern old Democrat wanted, living or dead, none of the tinsel and trappings of heraldic pomp or titular glory. He named for himself his passports to immortality—the rights of man, religious liberty, and universal education.

Jefferson was charged by the enemies who pursued him during life, and assailed his memory after death, with being a communist who appealed to the ignorant and poor against the educated and wealthy. He was by birth, lineage, education, and association, an aristocrat. He had in his veins the blue blood of the Randolphs, who, as Jefferson tells us in his Autobiography, "trace their pedigree far back in England and Scotland, to which let every one ascribe the faith and merit he chooses." Besides, he was born a land and slave owner, educated at the College of William and Mary, an institution established and endowed by royalty, and when a student in the old town of Williamsburg, the first capital of Virginia, was the favorite protégé of Francis Fauquier, the royal governor, at whose table he was a constant guest.

Passionately devoted to music, sculpture and painting, an accomplished Greek, Latin and French scholar, whilst in the higher mathematics, philosophy

and the sciences, he was without an equal amongst public men, Jefferson was naturally drawn by such tastes and pursuits away from the people, as they were then contemptuously called, and to the privileged classes who claimed by inheritance a monopoly of wealth, education and culture.

From Monticello, Jefferson went forth to make untiring and relentless war upon tyranny and oppression in every shape. For nearly fifty years his form towered in the front of every battle for civil and religious liberty, and there was not one single moment in which he ceased to struggle for human rights. It is almost impossible after so many years, and under circumstances so changed, to realize the appalling difficulties which confronted the advocates of civil and religious freedom in the last century, and especially in Virginia.

New Virginia was then but the gross caricature of old England. The rakehelly Cavaliers who fought under Prince Rupert were reproduced in an exaggerated form in the young planters of the province. To primogeniture, entail and the union of Church and State, had been added the curse of African slavery; and to raise tobacco, clear more land and buy more slaves, all to be at last squandered in riotous living, seemed to be the chief end of the Virginia gentleman.

Loyal to king and church, these fox-hunting, deep-drinking and gallant Virginians were ready to risk life and limb against any odds, in defence

of the divine right of kings, and the ecclesiastical supremacy of the Church of England.

From his four years' study of the law, and after mastering completely Coke on Lyttleton, which he had read and re-read and carefully annotated, Jefferson stepped into a world of crystallized wrong and robbery, made up from ages of legal precedent, and sanctified by so-called religion; but not in vain had he studied the black-letter pages of that sterling old Whig text-book, of which Jefferson afterwards wrote:

"Coke Lyttleton was the universal law book of students, and a sounder Whig never wrote, nor of profounder learning in the orthodox doctrines of the British Constitution, or in what was called British liberties.

"Our lawyers were then all Whigs. But when his black-letter text and uncouth but cunning learning got out of fashion, and the honeyed Mansfieldism of Blackstone became the student's horn-book, from that moment that profession (the nursery of our Congress) began to slide into Toryism, and nearly all the young brood of lawyers are now of that line. They suppose themselves, indeed, to be Whigs, because they no longer know what Whigism or Republicanism means."

When, therefore, in 1765, young Jefferson, fresh from Coke Lyttleton, stood at the door of the lobby of the House of Burgesses, in Williamsburg, and heard Patrick Henry denounce in burning words

the Stamp Act and the whole system of kingcraft, the seed fell into ground well prepared for the truth.

In 1769 Jefferson entered public life as a member of the House of Burgesses from his native county of Albemarle. His first measure was to provide for the gradual emancipation of slaves; but it resulted in utter failure, and is now only valuable as indicating the settled opinions of Jefferson upon the subject of slavery, and his fearlessness in grappling with the overwhelming public sentiment of his State in its favor.

Whilst a slave owner all his life, Mr. Jefferson was opposed to the institution and desired its gradual extinction. Like many intelligent men in the slaveholding States, he deprecated the existence of slavery, but resented the statement that the people of these States were alone responsible for the evil, or that those who had originally introduced slaves through their own avarice had the right to interfere afterwards with the property of the citizens to whom the slaves had been sold.

With prophetic vision, Jefferson saw the dreadful panorama of war and desolation which must accompany the end of slavery, unless peaceful means were adopted for that purpose. Speaking of gradual emancipation, he says in his Autobiography, written when he was seventy-seven years old:

"It was found that the public mind would not yet bear the proposition, nor will it bear it even at this day. Yet the day is not distant when it

must bear and adopt it, or worse will follow. Nothing is more certainly written in the book of fate than that these people are to be free, nor is it less certain that the two races, equally free, cannot live in the same government."

One portion of this prediction has been verified, and African slavery has been drowned in the tears and blood of both North and South.

At the same time it is not difficult to realize how utterly beyond the imagination of any mortal man fifty years ago, must have been the idea, not of emancipation, but that the emancipated slave would grasp the ballot and participate in the government of the country.

We know now that the negro race, with its parasitic tendencies and strong local attachments, will never submit to colonization, and that this philanthropic dream has vanished before the logic of events. The negro is a component part of our civilization, and must so remain.

It is the very irony of history that of all the slaveholding States, Virginia should have suffered most in defending an institution forced upon her people by the greed of Old and New England, in opposition to the judgment and wishes of her most distinguished men.

As far back as 1770, Virginia had protested against the introduction of African slaves, but the protest was silenced by the royal edict, and the traffic went on.

In 1776 Jefferson framed with his own hand an indictment of the King of Great Britain, in the following words:

"He has waged cruel war against human nature itself, violating its most sacred rights of life and liberty, in the persons of a distant people who never offended him; captivating them and carrying them into slavery in another hemisphere, or to incur miserable death in their transportation thither.

"This piratical warfare, the opprobrium of infidel powers, is the warfare of the Christian King of Great Britain. Determined to keep open a market where men should be bought and sold, he has prostituted his negative for suppressing every legislative attempt to prohibit or restrain this execrable commerce.

"And that this assemblage of horrors might want no fact of distinguished die, he is now exciting those very people to rise in arms among us and to purchase that liberty of which he has deprived them by murdering the people on whom he has obtruded them, thus paying off former crimes committed against the liberties of one people with crimes which he urges them to commit against the lives of another."

These burning sentences were a part of the Declaration of Independence as originally written by Jefferson and reported to Congress; but so strong was the influence of South Carolina, Georgia and New England, in favor of the slave trade, that the words were stricken out, and the Declaration was adopted as we now see it.

In 1778, two years later, Virginia made it a felony to import slaves into her limits, and in 1787, when she gave to the Union the Northwest Territory, the most princely gift in all "the annals of recorded time," Jefferson prepared the ordinance, and incorporated in its provisions the condition, "that after the year 1800 of the Christian era, there shall be neither slavery nor involuntary servitude in any of the said States, otherwise than in punishment of crimes, whereof the party shall have been duly convicted to have been personally guilty."

Again, in the Convention which framed the Federal Constitution of 1789, when the question of permitting further importation of slaves was under discussion, Mr. Mason, of Virginia, said:

"This infernal traffic originated in the avarice of British merchants. The British Government constantly checked the attempt of Virginia to put a stop to it. Maryland and Virginia had already prohibited the importation of slaves expressly, and North Carolina had done the same in substance."

Declaring then in the strongest terms his opposition to slavery, he concluded by stating that "he lamented that some of our Eastern brethren had, from a lust of gain, embarked in this nefarious traffic."

Luther Martin, of Maryland, declared the slave trade "to be inconsistent with the principles of the Revolution and dishonorable to the American character to have such a feature in the Constitution."

In this state of things, Gouverneur Morris, adverting to the circumstance that the sixth section of the same article, then under consideration, contained a provision "that no navigation act should pass without the consent of two-thirds of the members present in each House"—a provision particularly affecting the interests of the New England States—suggested that this, together with the fourth and fifth sections, should be referred to a committee, in order that a bargain might be formed between the parties out of these elements of special local interest on the one side and the other.

The suggestion was adopted, and on the second day afterward the committee reported, extending the slave trade to 1800, and striking out the provision requiring a two-thirds vote to enact a navigation law.

When the report came up in the Convention, General Pinckney, of South Carolina, moved to extend the slave trade to 1808, and the motion was seconded by Mr. Gorham, of Massachusetts.

Mr. Madison earnestly and eloquently opposed the motion, declaring it to be dishonorable to the American character, but his opposition was in vain.

Hand in hand, Massachusetts and South Carolina led the cohorts of slavery, and the motion prevailed, in all the New England States, with South Carolina, Georgia, Maryland and North Carolina voting for it, and Virginia, Pennsylvania, New Jersey and Delaware voting against it.

Luther Martin was a member of the committee to which I have alluded, and in a letter afterward to the Maryland House of Delegates, says:

"I found the Eastern States, notwithstanding their aversion to slavery, were very willing to indulge the Southern States, at least with a temporary liberty to prosecute the slave trade, provided the Southern States in their turn would gratify them by laying no restriction on the navigation acts."

Grand, even in her desolation, Virginia, noblest of ancient or modern commonwealths, can point to this record and hear in contemptuous silence the taunts and sneers of the political Pharisees, who "mock at her calamity."

Although Jefferson had failed in his attack on African slavery, he did not for a moment relax in his opposition to the arbitrary and oppressive measures of the British King.

In 1772 the people of Rhode Island began the Revolution by burning the British war vessel Gaspé, in Narragansett Bay, and when the ministers of George the Third claimed the right to transport the persons accused from Rhode Island to England for trial, Jefferson saw at once that the time had come for joint and concerted action between all the colonies. To concede this claim as to the humblest citizen, was to surrender the liberties of all. In the early part of March, 1772, Patrick Henry, Richard Henry Lee, Francis Lightfoot Lee, Dabney Carr and Thomas Jefferson met at the Raleigh Tavern, in

Williamsburg, Virginia, and drew up the famous resolutions pledging Virginia to stand by Rhode Island, and creating a committee of eleven, whose duty it should be to correspond with the other colonies, and concert measures for the general defence.

It is singular with what pertinacity amidst all the passionate debates and resolves of this eventful period, Jefferson and his associates still clung to the idea of loyalty to the king. Not till 1775 did he reluctantly come to the conclusion that the colonies must separate from the mother country.

Thus had the Commons of England advanced step by step until the head of Charles the First rolled from his shoulders before his palace at White Hall, and thus had the Girondists given place to the Revolution, until Louis the Sixteenth and Marie Antoinette died beneath the axe of the guillotine. In 1774 the people of Boston threw into the harbor the famous shipment of tea, and the King of England retaliated by closing the port. Again, Jefferson and his associates met at the Raleigh Tavern, and resolved to stand by New England. Massachusetts and Virginia then stood shoulder to shoulder, and who could have believed that in less than a century the same States would grapple in deadly conflict?

On June 21st, 1775, Jefferson took his seat as a member of the Continental Congress, and in June, 1776, wrote, with his own hand, the Declaration of American Independence, the most sub-

lime enunciation, save one, ever made to the human race.

That "all governments derive their just powers from the consent of the governed," is but a corollary from the divine injunction, "All things whatsoever ye would that men should do to you, do ye even so to them."

Together these two great truths embrace all the rights and duties of mankind.

The Declaration, having been reported to Congress, was debated on the second, third and fourth days of July, and adopted on the afternoon of the fourth, every member present signing it, except Mr. Dickinson.

In after years, Mr. Jefferson related with great humor a ludicrous event connected with this solemn transaction. Near the hall in which Congress assembled was a large livery stable, and the weather being extremely warm, the bloodthirsty and aggressive flies, which swarmed through the open windows, attacked our patriotic fathers, in abbreviated pants and thin silk stockings, with such pertinacity as to terminate the debate.

So near to the sublime is the ridiculous, and so wonderfully do the most insignificant creatures influence the destiny of man.

Thirteen States had now sprung into being, with institutions and laws not only varying as between themselves, but with some utterly opposed to the genius and spirit of the Declaration of Independence.

In none of the colonies were abuses so rife and firmly established as in Virginia. Primogeniture and entail had created a class of thoughtless elder brothers and vagabond heirs, who were reckless and self-indulgent to the very verge of lawlessness.

The union of Church and State had destroyed the rights of conscience, and a licentious clergy, so far from "leading the way to Heaven," were merely adjuncts to the great houses, where high play and old Madeira rewarded their complaisant ministry.

The world, for hundreds of years, had listened to the clanking of chains and shrieks of martyrs, whilst fire and fagot irradiated the deadly work of religious bigotry.

Even the Pilgrims, flying from persecution, "having landed on Pilgrim Rock, fallen on their knees and then on the aborigines," no sooner found themselves firmly established in New England, than they began to torture in the name of God.

To deny any book of the Old or New Testaments to be the word of God was punished by fire or by stripes, and blasphemy left the delinquent without his ears and with his tongue bored by a red-hot iron. Men were pilloried, branded and executed for non-conformity to the established church, and in but three out of the thirteen colonies was there religious toleration—Rhode Island, Maryland and Pennsylvania.

Mr. Jefferson graphically describes the condition of Virginia:

"The first settlers of this country were emigrants from England of the English Church, just at a point of time when it was flushed with complete victory over the religion of all other persuasions. Possessed, as they became, of the power of making, administering and executing the laws, they showed equal intolerance in this country with their Presbyterian brethren who had emigrated to the northern government. The poor Quakers were flying from persecution in England; they cast their eyes on these new countries as asylums of civil and religious freedom, but they found them free only for the reigning sect.

"General acts of the Virginia Assembly of 1659, 1662 and 1693, had made it penal in parents to refuse to have their children baptized; had prohibited the unlawful assembly of Quakers; had made it penal for any master of a vessel to bring a Quaker into the State; had ordered those already here, and such as should come thereafter, to be imprisoned until they should abjure the country; provided a milder punishment for their first and second return, but death for their third; had inhibited all persons from suffering their meetings in or near their houses, entertaining them individually, or disposing of books which supported their tenets.

"If no executions took place here, as did in New England, it was not owing to the moderation of the church or spirit of the legislature, as may be inferred from the law itself, but to historical circumstances that have not been handed down to us.

"By our own Act of Assembly of 1705, if a person brought up in the Christian religion denies the existence of a God, or the Trinity, or asserts there are more Gods than one, or denies the Christian religion to be true, or the Scriptures to be of divine authority, he is punishable on the first offence by incapacity to hold any office or employment, ecclesiastical, civil or military; on the second, by disability to sue, to take any gift or legacy, to be guardian, executor or administrator, and by three years' imprisonment without bail.

"A father's right to the custody of his own children being founded in law on his right of guardianship, this being taken away, they may of course be severed from him and put by the authority of the court into more orthodox hands."

Amidst a storm of opposition and obloquy, such as was never before seen on this continent, Jefferson resolutely attacked primogeniture, entail, and the union of Church and State.

From October the 11th to December the 5th the battle raged daily in the Virginia Assembly, and resulted in a substantial victory for Jefferson, although the statute for religious toleration did not finally become a law until 1786. When nearly eighty years old, Mr. Jefferson spoke of this as the most terrible contest of his long and stormy career. Against him were arrayed the wealthy families whose large estates were held by entail, the elder sons whose patrimonies were taken from them, and

more than all, the clergy and established church, who resented the statute for religious toleration as a blasphemous attack upon religion and a personal outrage upon themselves. Jefferson was denounced as a communist, an atheist, a foe to all religion, and the bitter enmities engendered by this conflict harassed him during life and assailed his memory after death.

No one knew better than Jefferson how unrelenting is religious intolerance, and how dangerous the charge of infidelity or atheism to a public man; but so true was he to the rights of conscience, that in his long life, and under all assaults, he made no reply to his enemies. He absolutely denied the right of any being, except his Maker, to call in question his religious belief, and thus he lived and died.

In a private letter to Dr. Benjamin Rush, dated April 21st, 1803, he wrote of his religious opinions:

"They are the result of a life of inquiry and reflection, and very different from that anti-Christian system imputed to me by those who know nothing of my opinions. To the corruptions of Christianity I am indeed opposed, but not to the genuine precepts of Jesus Himself. I am a Christian in the sense in which He wished any one to be, sincerely attached to His doctrines in preference to all others, ascribing to Himself every human excellence, and believing He never claimed any other."

To his young grandson, when life had almost faded away, and he could feel upon his aged brow the breath of eternity, he wrote:

"This letter will be to you as one from the dead. The writer will be in the grave before you can weigh its counsels. Your affectionate father has requested that I would address you something which might possibly have a favorable influence on the course of life you have to run, and I, too, as a namesake, feel an interest in that course.

"Few words will be necessary with good dispositions on your part. Adore God. Reverence and cherish your parents. Love your neighbor as yourself, and your country more than yourself. Be just. Be true. Murmur not at the ways of Providence, so that the life into which you have entered be the portal to one of eternal and ineffable bliss. And if to the dead it be permitted to care for the things of this world, every action of your life will be under my regard."

If this be atheism or infidelity, what honest man or pure woman will not pray that the world be filled with unbelief?

To Jefferson the doctrines of primogeniture, entail, and an established church were but part and parcel of the system which gave to certain families the divine right of governing their fellow men, and against this heresy, with all its incidents and corollaries, he made untiring and relentless war until the end of life.

To him there was but one creed in matters spiritual or temporal:

"All governments derive their just powers from the consent of the governed."

In addition to the legislation abolishing primogeniture, entail, and an established church, Jefferson, at the same session of the Assembly, introduced and passed a bill fixing the terms upon which foreigners should be admitted as citizens of Virginia, and this act became the model for the general naturalization law of the United States. Under a resolution introduced by himself in October, 1776, he commenced the next summer, in connection with Edmund Pendleton and George Wythe, a revision of the laws of Virginia, and in 1779, after three years of arduous labor, the work was completed.

But his great ambition was to establish a system of common schools, which should place a liberal education within the reach of every child in Virginia, to create high schools, found a library at Richmond, at a cost of two thousand pounds a year, and change William and Mary College into a University. With indefatigable zeal he perfected all the details, but the war absorbed the entire resources of the commonwealth, and long years of eventful history passed before he realized any part of his cherished plans.

On June 1st, 1779, Jefferson was inaugurated Governor of Virginia, succeeding Patrick Henry, the first executive of the State. From the day of his

inauguration to the hour when he retired from office, he was overwhelmed with difficulties, before which an ordinary man would have shrunk appalled and hopeless.

Without navy, arms or money, Jefferson was expected to defend an exposed seaboard, furnish supplies to the Virginia troops in the field, and prevent the horrors of an Indian war on the western border.

All that could be done by unflagging energy and the wisest forethought he accomplished, but in 1780 the storm of war burst with relentless fury upon Virginia.

Gates was defeated at Camden, the traitor Arnold sailed up the James, burning and pillaging on either side, until he captured Richmond, whilst news came that Washington's army was on the eve of dissolution.

In 1781 Cornwallis invaded Virginia from the South, and a troop of cavalry dashed upon Monticello with the hope of capturing Governor Jefferson. Five minutes before their arrival Jefferson escaped, and his faithful slaves refused, under bribes and threats, to give information of the route he had taken.

As always in the hour of national calamity, a scapegoat was necessary to appease the popular disquietude, and Jefferson was in this instance the victim. Conscious of his faithful discharge of duty, he chafed under these assaults as never before or

after, and although acquitted by the unanimous vote of the Assembly, declared that he would never accept another public trust, and that, with the close of the war, his political career had ended.

Surrounded at Monticello by his family, to whom he was tenderly attached, and with his books and flowers, Jefferson looked forward to years of quiet happiness, such as every man, worn with the battle of life, has pictured in his day dreams of the future. But Providence had destined otherwise.

In the spring of 1782 death robbed him of a wife whose beauty and accomplishments gave to Monticello the most charming mistress that ever blessed a Virginia home, and from a stupor of grief Jefferson awoke, anxious to leave the scenes which constantly reminded him of his irreparable loss.

Again he plunged into the vortex of politics, and in 1783 we find him at Annapolis, ready to take his seat in Congress, to which he had been recently elected. Again he devoted himself with untiring assiduity to public business, and, as chairman of the Committee on Coins and Currency, gave to his country and the world a system of coinage on the decimal basis, the most perfect known amongst men.

At the same session he introduced the celebrated ordinance, afterwards enacted in 1787, by which Virginia gave to the Union the great States of Ohio, Indiana, Illinois, Michigan and Wisconsin.

On May 17th, 1784, Jefferson was appointed Envoy Extraordinary to assist Mr. Adams and Dr. Frank-

lin, then abroad, in concluding commercial treaties with Great Britain, Holland, and other governments, on "the footing of the most favored nation," and on March 10th, 1785, he succeeded Dr. Franklin as Minister to France.

Jefferson remained in Europe five years, residing in Paris, and watching with deepest interest the great drama of the French Revolution. He witnessed the fall of the Bastile, and the massacre of the Swiss Guards; but, like Charles James Fox, he saw through the blood and horror the outlines of liberty; and, unlike Burke, he beheld in the French queen, not only a beautiful and unfortunate woman, but the reckless, self-indulgent cause of her husband's ruin.

"This angel, as gaudily painted in the rhapsodies of Burke," he wrote forty years afterwards, "with some smartness of fancy, but no sound sense, was proud, disdainful of restraint, indignant at all obstacles to her will, eager in the pursuit of pleasure, and firm enough to hold to her desires or perish in their wreck.

"Her inordinate gambling and dissipations, with those of the Count d'Artois and others of her clique, had been a sensible item in the exhaustion of the treasury, which called into action the reforming hand of the nation; and her opposition to it, her inflexible perverseness and dauntless spirit, led herself to the guillotine, drew the king on with her, and plunged the world into crimes and calamities which

will forever stain the pages of modern history. I have ever believed that, had there been no queen, there would have been no revolution; no force would have been provoked or exercised."

Like John Knox, in the days of Mary, Queen of Scots, Jefferson could not appreciate the beauty which looked, without pity, on the starving multitude, and listened, without emotion, to the cries of her unfortunate people.

Jefferson looked with contemptuous amazement upon the French court feasting and dancing at Versailles, while the hungry people roared and surged through the streets of Paris.

> "Slowly comes a hungry people, as a lion creeping nigher
> Glares at one that nods and winks behind a slowly dying fire."

The glamour of royalty did not seem to affect this stern republican, who rejected with scorn the divine right of kings.

In one of his letters he writes thus of the monarchs then occupying the proudest thrones of earth:

"While I was in Europe I often amused myself in contemplating the characters of the then reigning sovereigns of Europe. Louis the Sixteenth was a fool, of my own knowledge, and in despite of the answers made for him at his trial. The King of Spain was a fool, and of Naples the same. They passed their lives in hunting, and despatched two couriers a week over one thousand miles to let each other know what game they had killed the preceding

days. The King of Sardinia was a fool. All these were Bourbons. The Queen of Portugal, Braganza, was an idiot by nature, and so was the King of Denmark. Their sons, as regents, exercised the powers of government. The King of Prussia, successor to Frederick the Great, was a mere hog in body as well as in mind.

"Gustavus of Sweden, and Joseph of Austria, were really crazy, and George of England, you know, was in a straight waistcoat. There remained then none but old Catherine, who had been too lately picked up to have lost her common sense.

"In this state Bonaparte found Europe, and it was the state of the rulers which lost it without a struggle. These animals had become without mind and powerless, and so will every hereditary monarch be after a few generations."

Every fibre of Jefferson's being sympathized with the unfortunate people whose sweat and blood had been wrung from them for centuries, to feed these royal animals, and every hour in Europe added to his hatred of the monarchical system.

In February, 1787, he left Paris, and traveled incognito through the fairest provinces of France, investigating the home life of the people, their houses, food and modes of agriculture.

Besides attending to his diplomatic duties and making commercial treaties with all the principal nations of Europe, Jefferson found time to correspond with leading scientists upon chemistry, astron-

omy, geology and natural history. He collected and shipped to the United States seeds and plants of all kinds suitable to our soil and climate, and procured for Buffon, the great naturalist, specimens of the animals and birds peculiar to this continent.

When in France, he wrote and published his celebrated "Notes on Virginia," which attracted universal attention, and passed through several editions.

Whilst making treaties, writing philosophical essays, and watching the revolution, this remarkable man invented an improved plough, which was awarded a medal by the Royal Agricultural Society of the Seine, and was exhibited to William C. Rives, Minister to France in 1853, as "The Prize Plough of Thomas Jefferson;" afterwards he invented the revolving chair, now found in so many offices and households.

Rice was largely consumed in France, and anxious to know why the American article was unable to compete successfully with that raised in Southern Europe, he made a journey across the Alps in 1787, into the rice-growing districts, and being unable to procure some improved seed rice, which he discovered there, on account of laws prohibiting its exportation, he filled the pockets of his coat and overcoat with the best rice, of the best rice-producing district of Italy, and sent it to Charleston. It came to hand safely, was distributed in quantities of ten and twelve grains to planters, and being carefully

tended, furnished South Carolina the best rice in the world.

After five years of unremitting toil for his country and mankind, Jefferson was compelled to give some attention to his private affairs, and left Paris in October, 1789, with his two daughters, expecting to return within a year. On November 17, 1789, he landed safely at Norfolk, and found an invitation from Washington to become Secretary of State.

With reluctance, but acting under a sense of public obligation, he accepted the office, and entered upon its duties.

Accustomed, as Jefferson must have been, to the uncertainty of political events and the mutations of public sentiment, he was profoundly astonished to find that a powerful party had come into existence in the United States, which distrusted the people, and favored a strong, if not monarchical government. At the head of this party was the Secretary of the Treasury, Alexander Hamilton.

It was not possible that harmony, nor any relation except that of antagonism, should exist between Jefferson and Hamilton. They were both men of great ability, positive convictions, and with views utterly irreconcilable as to the government.

Jefferson was the incarnate principle of Democracy, pure and simple, without alloy. Hamilton had no sympathy with the people or popular government.

Notwithstanding the great authority of Wash-

ington, and the influence which his character exercised upon all who approached him, there soon occurred an open rupture between the Secretary of State and the Secretary of the Treasury.

In February, 1792, Jefferson mentioned to the President his intention to retire from the Cabinet, and, when pressed for his reasons, frankly stated that it was impossible for Colonel Hamilton and himself to continue together in the administration, and that now a proposition had been brought forward, the decision of which must definitely determine "whether we live under a limited or unlimited government."

"To what proposition do you allude?" asked the President.

"To that," replied Jefferson, "in the report of manufactures (by Hamilton), which, under color of giving bounties for the encouragement of particular manufactures, meant to establish the doctrine that the Constitution, in giving power to Congress to provide for the general welfare, permitted Congress to take everything under their charge which they should deem for the public welfare. If this was maintained, then the enumeration of powers in the Constitution does not at all constitute the limits of their authority."

If Jefferson should now revisit the earth he would find the same doctrine advanced even amongst those who claim to be exponents of his principles and teaching.

In the meantime all Europe was preparing to attack France, and the question presented to Washington's Cabinet was whether the United States should remain neutral or assist the people who had assisted us in our struggle for independence.

On April 22d, 1793, the proclamation for neutrality was issued, and on the same day Citizen Genet arrived in a French frigate as Minister to the United States from the French Republic.

He was received with such tumultuous acclamation as was never before or since given to any ambassador or visitor to our shores. Public meetings, banquets, oratory and music evidenced the deep feeling of the American people for the cause of France. A storm of indignation burst upon Washington and his Cabinet for refusing to give immediate assistance to our allies of the War for Independence, then struggling against the combined despotism of Europe, led by England.

It is impossible for us to realize now the popular excitement of those eventful days, or the clamor raised about the government; but Washington and his Cabinet stood firm, and the result justified the wisdom of their course.

Jefferson's correspondence with Genet and the English Minister, afterwards published by order of Congress, stands to-day and will forever remain the most wonderful exhibition of learning, skill and moderation to be found in the annals of diplomacy.

Jefferson retired from Washington's Cabinet on

January the 1st, 1794, the acknowledged leader of the Republican party, and with the compliments and plaudits of his countrymen. Even his enemies were forced to admit that his correspondence with Genet had exhibited the highest order of ability, and had shown him to be both patriot and statesman.

In 1796 he was called from Monticello to become Vice-President, Mr. Adams having received in the Electoral College seventy-one votes and Mr. Jefferson sixty-eight, which resulted, as the Constitution then provided, in making the former President and the latter Vice-President of the United States.

To the duties of this office he brought the same industry and learning as to every other position.

When a young lawyer, beginning his public career as a member of the Virginia House of Burgesses, he had adopted the practice of noting down in a small leather-bound volume rules and precedents in parliamentary law, and upon this as a basis he now prepared his "Manual of Parliamentary Practice," the highest authority in legislative proceedings known to the civilized world.

In the meantime the Federalists and Republicans were marshaling their forces for the Presidential contest of 1800. The conservative and mediatory influence of Washington had been withdrawn, and party spirit raged untrammeled.

The press was in the hands of the Federalists, and Jefferson the mark at which all their arrows

were aimed. He was pictured as an atheist, libertine, a monster in human form. One of the favorite charges against him was that he was an ally of Napoleon Bonaparte, the Corsican tyrant. The political preacher had already appeared in the Presidential canvass, and although not so alliterative as in modern times, was equally as sensational.

The great preacher then in New York was Dr. John Mason, and he was shocked beyond measure to find from the "Notes on Virginia" that Jefferson had doubts as to there having been a universal deluge. Some days before the election Dr. Mason published a pamphlet entitled, "The Voice of Warning to Christians on the Ensuing Election," in which he exclaimed: "Christians! It is thus that a man whom you are expected to elevate to the chief magistracy insults yourself and your Bible."

We can imagine what sort of partisan this reverend politician must have been when we learn that in one of his sermons he paused and with uplifted hands and eyes burst into prayer:

"Send us, if Thou wilt, murrain upon our cattle, a famine upon our land, cleanness of teeth in our borders; send us pestilence to waste our cities; send us, if it pleases Thee, the sword to bathe itself in the blood of our sons, but spare us, Lord God Most Merciful, spare us that curse—most dreadful of all curses—an alliance with Napoleon Bonaparte."

As he uttered these words the blood gushed from his nostrils, but putting his handkerchief to his

face he then waved it aloft as if a bloody banner in the coming contest.

Through all this scandal and vituperation, temporal and ecclesiastical, the people, as they always do, discerned the true issue, and the Republicans were successful. Jefferson and Burr each received seventy-three votes in the Electoral College to sixty-five for Adams, sixty-four for Pinckney, and one for Jay; and after some weeks of great excitement the House of Representatives ratified the will of the people by making Jefferson President and Burr Vice-President. The alien and sedition laws had done their work, and the first Republican administration assumed control of the government.

The new President rode to the Capitol on horseback, hitched his steed to the palings, and quietly took the oath of office. There was no procession, no inaugural ball, no show and parade. Right or wrong, this was Jefferson's idea of a Republic, and the commencement of a Republican administration.

During the administrations of Washington and Adams the absurd custom of Congress being opened by the President with a personal address had been adopted, in imitation of the English system, but Jefferson quietly transmitted his message in writing, and such has been the custom ever since.

He also refused to hold weekly levees, where a mob of sweating and uncomfortable people, in tawdry finery, torture each other and the President until life becomes a burden, but this travesty on

common sense has since returned to plague the Chief Executive and disgust the sensible public.

Jefferson sought to simplify the government and relieve it from the display and extravagance by which monarchy aimed to dazzle the people and conceal the outrages inflicted upon them.

The trinity of his political faith was a strict construction of the Constitution, economy in expenditures, and honest men in office.

His inaugural on March the 4th, 1801, should be treasured with Washington's Farewell Address.

"Equal and exact justice to men of whatever state or persuasion, religious or political, peace, commerce and honest friendship with all nations, entangling alliances with none; the support of the State Governments in all their rights, as the most competent administration for our domestic concerns, and the surest bulwarks against anti-republican tendencies; the preservation of the General Government in its whole constitutional vigor as the sheet anchor of our peace at home, and safety abroad; a jealous care of the right of election by the people—a mild and safe corrective of abuses, which are lopped by the sword of revolution, when peaceable remedies are unprovided; absolute acquiescence in the decision of the majority, the vital principle of republics from which there is no appeal but to force, the vital principle and immediate source of despotism; a well-disciplined militia, our best reliance in peace and for the first moments of

war, till regulars may relieve them; the supremacy of the civil over the military authority; economy in the public expense that labor may be lightly burdened; the honest payment of our debts and sacred preservation of the public faith; encouragement of agriculture, and of commerce as its handmaid; the diffusing of information and the arraignment of all abuses at the bar of public reason; freedom of religion; freedom of the press; freedom of persons under the protection of the habeas corpus, and trial by juries impartially selected."

The first important act of Mr. Jefferson's administration was to dispatch three frigates and one sloop of our small navy to the Mediterranean, for the purpose of overaweing the Algerine pirates and terminating their daring attacks upon American commerce.

When Minister to France, he had been annoyed and irritated by the fact that the United States and other nations were compelled to pay tribute to these buccaneers. One bill sent to Mr. Jefferson for the ransom of an American crew was as follows:

For three captains, $6,000 each, $18,000; for two mates, $4,000 each, $8,000; for two passengers, $4,000 each, $8,000; for fourteen seamen, $1,400 each, $19,600; total, $53,600.

Jefferson was determined that this national disgrace should be obliterated, and history shows how well and thoroughly the gallant Decatur carried out the instructions of his chief.

The most splendid achievement of Jefferson's administration, however, was the acquisition by purchase from Napoleon of the Louisiana Territory, which extended our limits from ocean to ocean and gave us the mouth of the Mississippi.

When the treaty was signed at Paris, Mr. Livingstone, one of the Commissioners, said:

"We have lived long, but this is the noblest work of our whole lives. The treaty which we have just signed has not been obtained by art nor dictated by force. It will change vast solitudes into flourishing districts, and from this day the United States take their place among the powers of the first rank. * * * The instruments which we have just signed will cause no tears to be shed. They prepare ages of happiness for innumerable generations of human creatures.

"The Mississippi and Missouri will see them succeed one another and multiply, truly worthy of the regard and care of Providence, in the bosom of equality, under just laws, freed from the errors of superstition and bad government."

"If to the dead it be permitted to care for the things of this world," with what satisfaction must the spirit of Jefferson to-day look down upon this vast domain acquired by his patriotic foresight; a land of plenty, filled with happy homes, and temples devoted to education, science and art.

After acquiring Louisiana, including the vast region stretching to the Pacific, Mr. Jefferson's next

object was to ascertain the nature and resources of these possessions, and for this purpose the expedition of Lewis and Clarke left St. Louis in 1805, came up the Missouri, and for two years, four months, and ten days was lost to civilization, and exposed to danger and hardships, the recital of which equals the stories of romance.

Not many months after the acquisition of Louisiana, intelligence reached the President of the treasonable design of Aaron Burr to seize upon the mouth of the Mississippi, invade Mexico, and establish a southwestern empire. After the death of Hamilton, Burr had served out his term as Vice-President, presiding at the impeachment trial of Judge Chase, and then finding his public career ended, his restless ambition had conceived the scheme which ruined Blennerhassett, and made himself an outcast and wanderer.

Party rancor attempted at the time to make Burr a martyr and Jefferson a tyrant, but impartial history has long since entered the judgment that the President was right, and that Burr was guilty of the designs attributed to him.

The latter part of Jefferson's second term was clouded with the prospect of war with England, and with the distress caused by the embargo, which he enforced to the end of his administration, in the hope of averting an expensive and ruinous conflict of arms.

In 1809, with the country four times greater in resources and territory than in 1800, his second

term as President closed, and after forty-four years' public service he transferred the government to his friend, James Madison, and went back to Monticello, and to the labor of love, which had been amongst the dreams of his early ambition. His whole energies were now devoted to establishing the University of Virginia, upon a system singularly illustrative of that equality and liberty which formed the leading characteristic of Jefferson's life and opinions. The University differs from other American colleges in these particulars: There is no president, and all the professors are of equal rank except that one of them is elected chairman of the faculty. The University is simply a group of schools, and the student himself chooses the studies he elects to pursue. Unlike other institutions, there is no rule requiring a student to attend religious exercises, but his conduct in this regard is governed entirely by his own sense of right.

The ruling idea in every detail is an absence of coercion, and an appeal to manhood and conscience.

Jefferson lived seventeen years after the close of his public career, and his last hours were embittered by the pressure of debts which he was unable to satisfy. His splendid library, a portion of it left him by George Wythe, was sold to the United States, and he was finally compelled to ask the legislature of Virginia to authorize him to dispose of his lands by lottery, in order to meet the harassing liabilities pressing upon him.

Although an exact man, Jefferson practiced the hospitality which prevailed in Virginia everywhere at that time, and he had never learned the modern methods by which a public officer can in a few years become a millionaire upon a small salary. When he left Washington City he was forced to borrow ten thousand dollars to pay debts contracted for household expenses, and whilst we may deprecate the style of living which necessitated such outlay, we must admire the integrity that procured the money to meet the debt by a mortgage upon Monticello, rather than by a raid upon the public treasury.

On July the 4th, 1826, as the accentuating cannon and the glad acclaim of a free people saluted the birthday of American Independence, Jefferson's life ended peacefully and serenely at Monticello. On the same day at his home in Massachusetts, John Adams passed away.

No longer rivals nor political opponents, they met together the last enemy of all our race.

Gentlemen of the Jefferson Club, you have taken the name and are pledged to the principles of him who established the Democratic party. No responsibility can be greater, for the defeat of these principles and the destruction of the organization based upon them, means the end of free institutions upon this continent.

The Democratic party holds that there should be no partnership between the government and any individual or class, but that all the benefits and

burdens of the government should be equally and justly distributed, every citizen being protected in life, liberty and property, and made the architect of his own fortune.

It holds that all property should be taxed in proportion to the protection received from the government; and it does not believe in the system under which a capitalist pays no more upon his hundreds of millions to support the national government, than does the poorest citizen who must in war risk life and limb to protect these millions.

The Democratic party is national, not sectional, and cannot exist on one issue. It is coexistent with the whole Union and with the autonomy of our government.

You may believe in the single gold standard and I in the free coinage of silver at the ratio of 16 to 1, but if we are Jeffersonian Democrats, there is no other political home for us than the old party which has existed for a hundred years in peace and war, sunshine and shadow, in every township, county, and State of the entire Union.

No greater calamity could come to this country or the world than the disruption of the great organization which was founded by the author of the Declaration of American Independence.

Upon the canvas of the past, Washington and Jefferson stand forth the central figures in our struggle for independence. The character of the former was so rounded and justly proportioned, that

so long as our country lives, or a single community of Americans can be found, Washington will be "First in war, first in peace, and first in the hearts of his countrymen."

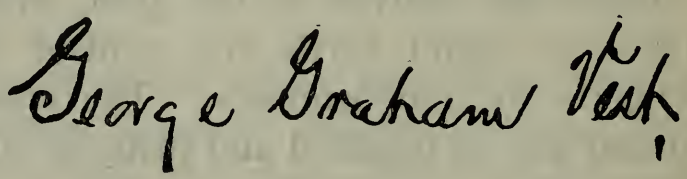
To Washington we are more indebted than to any one man for national existence; but what availed the heroism of Bunker Hill, the sufferings of Valley Forge, or the triumph of Yorktown, if the government they established had been but an imitation of the monarchy from which we had separated?

To Jefferson we owe eternal gratitude for his sublime confidence in popular government, and his unfaltering courage in defending at all times and in all places, the great truth, that "All governments derive their just powers from the consent of the governed."

The love of liberty is found not in palaces, but with the poor and oppressed. It flutters in the heart of the caged bird, and sighs with the worn and wasted prisoner in his dungeon. It has gone with martyrs to the stake, and kissed their burning lips as the tortured spirit winged its flight to God!

In the temple of this deity Jefferson was high priest!

For myself, I worship no mortal man living or dead; but if I could kneel at such a shrine, it would be with uncovered head and loving heart at the grave of Thomas Jefferson.



The Sharpless Jefferson

Reproduced from the Original Painting by James Sharpless.

This painting, done by the famous English portrait painter, is owned by the city of Philadelphia and deposited in the National Museum (the old State House).

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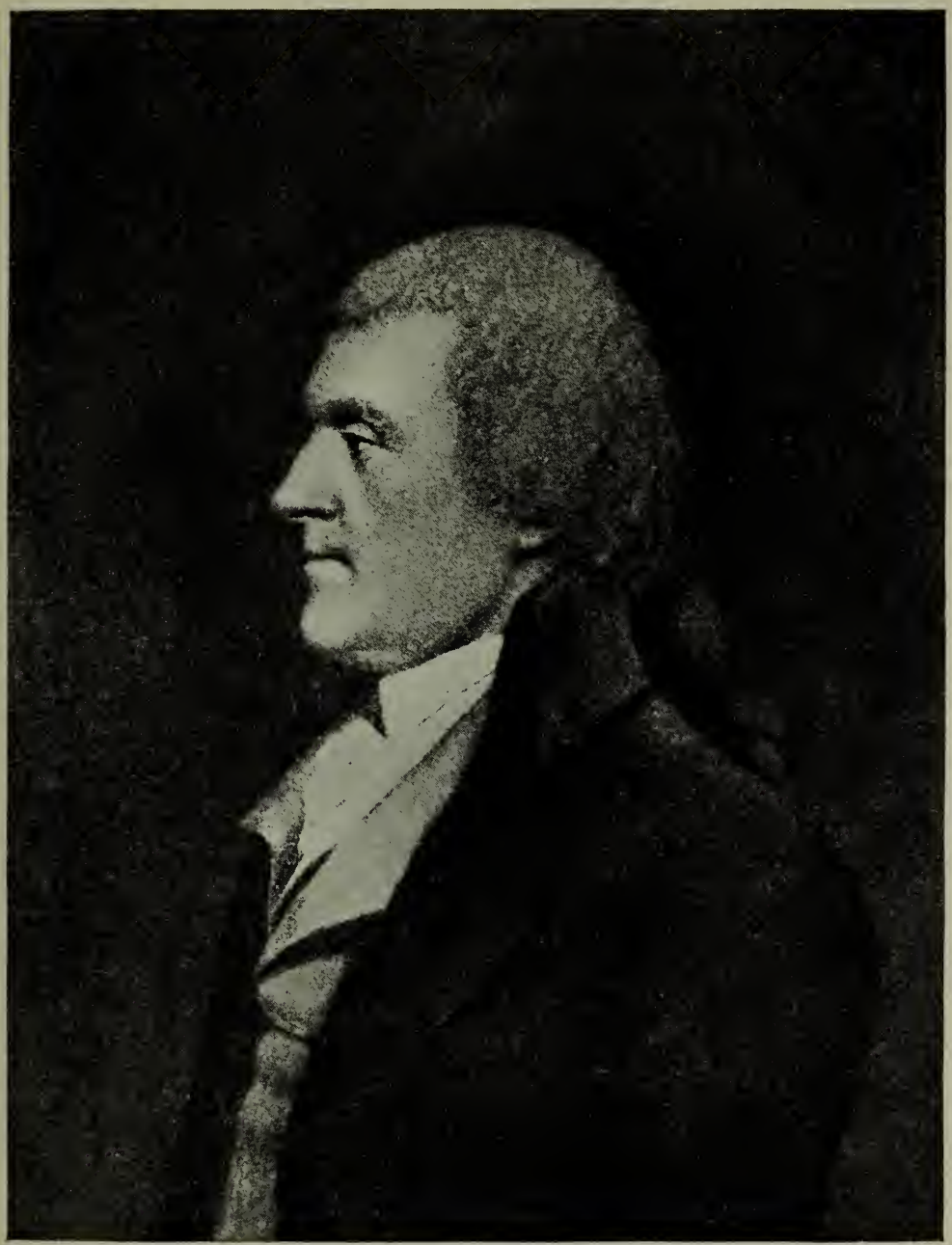

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Massachusetts Signers

(Declaration of Independence.)

The Reproductions are from the Original Paintings in Independence Hall, Philadelphia.

Robert Treat Paine (1731-1814), born in Boston; entered Harvard University at fourteen years of age. After graduating he taught school and studied theology, but ultimately pursued the study of law. On admission to the bar he went to Taunton to live. He was a member of the Continental Congress from 1774 to 1778, where he served upon many important committees. He was made Attorney-General of Massachusetts on the organization of the State. In 1790 he was appointed Judge of the Supreme Court of his State, where he remained until 1804. (*Reproduced from the Original Painting by Slaigg.*)

John Adams (1735-1826), born at Braintree, Mass.; went to Harvard University when sixteen years old and graduated in 1755. He studied law and acquired a good practice. During the Stamp Act disturbances he was one of its fiercest opponents and wrote a set of Resolutions against it which were adopted by more than forty towns. He was chosen a delegate to the Continental Congress in 1774. He battled for the Declaration of Independence through Congress in a three days' debate. In 1785 he went as Minister to the Court of St. James, and when he returned it was to take his place as Vice-President under Washington. In 1797 he became President of the United States. His letters, essays and the papers he prepared during his career have been preserved, and remain to-day a lasting monument to his fame. The interesting correspondence between Adams and Jefferson covers a period of fifty years. (*Reproduced from the Original Painting by Charles W. Peale.*)

Elbridge Gerry (1744-1814), born at Marblehead, Mass.; after graduating from Harvard he entered commercial life and acquired a fortune. In 1772 he represented his town in the State Legislature. He took his seat in the Continental Congress early in 1776 and continued a member almost without a break up to 1785. He was made presiding officer of the Treasury Board in 1780. He was chosen a delegate to the Convention of 1787 which met to frame the Constitution of the United States, though he refused to sign the instrument adopted. In 1797 he was one of three commissioners of peace to France. In 1812 he was elected Vice-President of the United States under James Madison. (*Reproduced from a Painting after the Original Painting by J. Bogle.*)

John Hancock (1737-1793), was born at Quincy, Mass. He was sent to Harvard, where he graduated in 1754, and began business life in his uncle's counting house. He delivered a powerful oration in 1774 commemorating the Boston Massacre and reprobating the conduct of the soldiery. He was chosen President of the Provincial Congress in 1774, and held the same office in the Continental Congress from 1775 to 1777. He was first to sign the Declaration of Independence which he did with his usual fearlessness. He was also President of the Convention which adopted the Federal Constitution. He was Governor of Massachusetts from 1780 to 1785 and from 1787 up to the time of his death. (*Reproduced from the Painting by Morse after the Original Painting by John Singleton Copley.*)

Samuel Adams (1722-1802), born in Boston; took his degree of A. B. at Harvard in 1740. He started his career as a merchant but failed, though as a political speaker and writer he grew famous. He was one of the first to take a stand against such measures as the Stamp Act and the duty on tea. He was among the organizers of a General Congress, and one of its first delegates, serving as an active member from 1774 to 1781. Jefferson thought he had the most important share of any member of Congress in directing the manœuvres of war in the North. He was one of the earliest advocates of Independence, which he thought should have been declared after the Battle of Lexington. He was Lieutenant-Governor of the State of Massachusetts for five years and Governor from 1794 to 1797. (*Reproduced from the Painting by Orthank after the Original Painting by John Singleton Copley.*)

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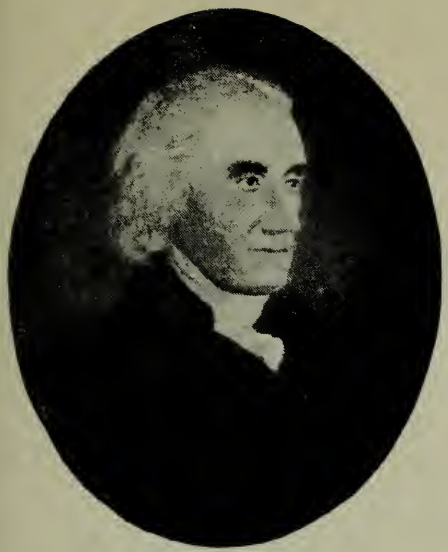
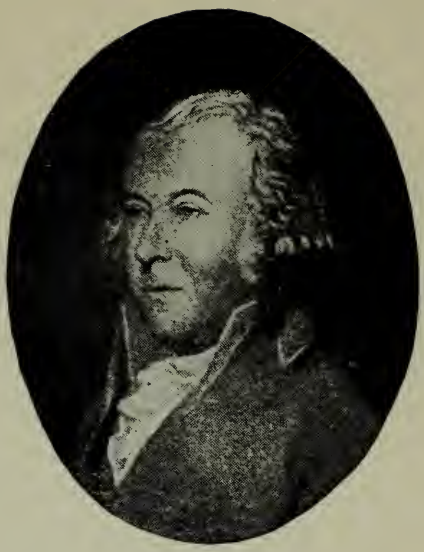
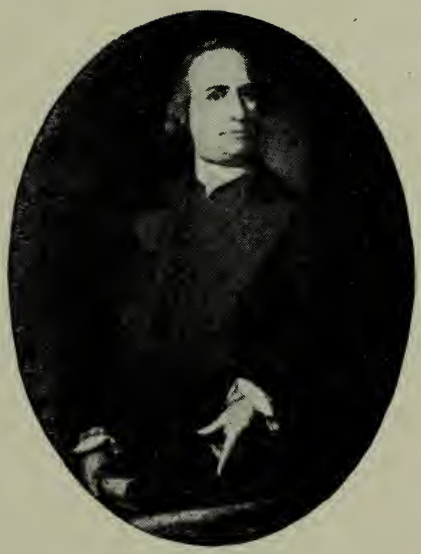


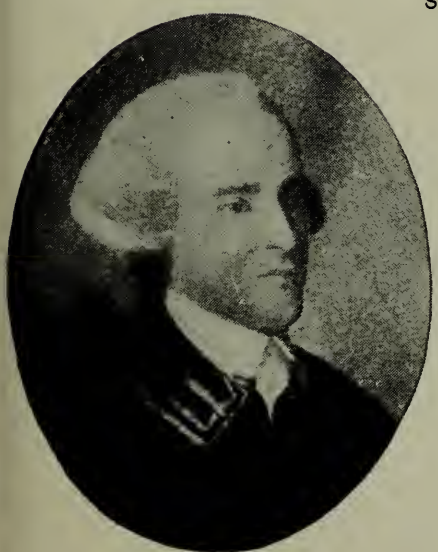
ROBERT TREAT PAINE



JOHN ADAMS



SAMUEL ADAMS



JOHN HANCOCK

ELBRIDGE GERRY

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CORRESPONDENCE.

LETTERS WRITTEN AFTER HIS RETURN TO THE UNITED STATES.

1789–1826.

(CONTINUED.)

JEFFERSON'S WORKS.

LETTERS WRITTEN AFTER HIS RETURN TO THE UNITED STATES.

1789–1826.

TO ALBERT GALLATIN.

WASHINGTON, March 2, 1808.

On considering the papers which James Brown sent us, containing a statement of the parcels of property in and adjacent to New Orleans, to which the United States claims, we thought it safest to await the report of the commissioners, with their list of the property. The papers received yesterday by express from New Orleans, and now enclosed to you, give us a list of the property, and grounds of claim from the common council of the city. Having thus the statement, as it were, from both parties, I suppose we may consider the list as complete. It would therefore be only losing a year to wait for the report of the commissioners, and especially as the property is suffering. What shall we do? There are two questions,—first, which of these parcels do

really belong to the United States? Second, how shall they be disposed of? On the first question, I presume Congress will not decide themselves, but either leave it to the present commissioners, or appoint others of higher standing and abilities, at least for the future, which is of too much value, and too much involved in prejudices *there*, to be safely trusted to the present commissioners. On the second question, perhaps Congress might now desire the Executive, so soon as the titles are decided, to state to them the parcels which should be kept for the government use, and then give to the city such as they need, and dispose of the rest as they see best.

Will you favor me with your ideas what is best to be done? Affectionate salutations.

TO HIS EXCELLENCY GOVERNOR JAMES SULLIVAN.

WASHINGTON, March 3, 1808.

DEAR SIR,—Your favor of February 8th, covering the resolutions of the Legislature of Massachusetts, was received in due time. It is a circumstance of great satisfaction that the proceedings of the government are approved by the respectable Legislature of Massachusetts, and especially the late important measure of the embargo. The hearty concurrence of the States in that measure, will have a great effect in Europe. I derive great personal consolation from the assurances in your friendly letter, that the electors of Massachusetts would still

have viewed me with favor as a candidate for a third presidential term But the duty of retirement is so strongly impressed on my mind, that it is impossible for me to think of that. If I can carry into retirement the good will of my fellow-citizens, nothing else will be wanting to my happiness.

Your letter of February 7th, with a recommendation for Salem, and that of the 8th recalling it, were both received. I dare say you have found that the solicitations for office are the most painful incidents to which an executive magistrate is exposed. The ordinary affairs of a nation offer little difficulty to a person of any experience; but the gift of office is the dreadful burden which oppresses him. A person who wishes to make it an engine of self-elevation, may do wonders with it; but to one who wishes to use it conscientiously for the public good, without regard to the ties of blood or friendship, it creates enmities without numbers, many open, but more secret, and saps the happiness and peace of his life.

I pray you to accept my friendly salutations, and assurances of great esteem and respect.

TO COLONEL JAMES MONROE.

WASHINGTON, March 10, 1808.

DEAR SIR,—

* * * * * * * * *

From your letter of the 27th ultimo, I perceive that painful impressions have been made on your

mind during your late mission, of which I had never entertained a suspicion. I must, therefore, examine the grounds, because explanations between reasonable men can never but do good. 1. You consider the mission of Mr. Pinckney as an associate, to have been in some way injurious to you. Were I to take that measure on myself, I might say in its justification, that it has been the regular and habitual practice of the United States to do this, under every form in which their government has existed. I need not recapitulate the multiplied instances, because you will readily recollect them. I went as an adjunct to Dr. Franklin and Mr. Adams, yourself as an adjunct first to Mr. Livingston, and then to Mr. Pinckney, and I really believe there has scarcely been a great occasion which has not produced an extraordinary mission. Still, however, it is well known that I was strongly opposed to it in the case of which you complain. A committee of the Senate called on me with two resolutions of that body, on the subject of impressment and spoliations by Great Britain, and requesting that I would demand satisfaction. After delivering the resolutions, the committee entered into free conversation, and observed, that although the Senate could not, in form, recommend any extraordinary mission, yet that as individuals, there was but one sentiment among them on the measure, and they pressed it. I was so much averse to it, and gave them so hard an answer, that they felt it, and spoke of it. But

it did not end here. The members of the other House took up the subject, and set upon me individually, and these the best friends to you, as well as myself, and represented the responsibility which a failure to obtain redress would throw on us both, pursuing a conduct in opposition to the opinion of nearly every member of the Legislature. I found it necessary, at length, to yield my own opinion to the general use of the national council, and it really seemed to produce a jubilee among them; not from any want of confidence in you, but from a belief in the effect which an extraordinary mission would have on the British mind, by demonstrating the degree of importance which this country attached to the rights which we considered as infracted.

2. You complain of the manner in which the treaty was received. But what was that manner? I cannot suppose you to have given a moment's credit to the stuff which was crowded in all sorts of forms into the public papers, or to the thousand speeches they put into my mouth, not a word of which I had ever uttered I was not insensible at the time of the views to mischief, with which these lies were fabricated. But my confidence was firm, that neither yourself nor the British government, equally outraged by them, would believe me capable of making the editors of newspapers the confidants of my speeches or opinions. The fact was this. The treaty was communicated to us by Mr. Erskine on the day Congress was to rise. Two of the

Senators inquired of me in the evening, whether it was my purpose to detain them on account of the treaty. My answer was, "that it was not: that the treaty containing no provision against the impressment of our seamen, and being accompanied by a kind of protestation of the British ministers, which would leave that government free to consider it as a treaty or no treaty, according to their own convenience, I should not give them the trouble of deliberating on it." This was substantially, and almost verbally, what I said whenever spoken to about it, and I never failed when the occasion would admit of it, to justify yourself and Mr. Pinckney, by expressing my conviction, that it was all that could be obtained from the British government; that you had told their commissioners that your government could not be pledged to ratify, because it was contrary to their instructions; of course, that it should be considered but as a project; and in this light I stated it publicly in my message to Congress on the opening of the session. Not a single article of the treaty was ever made known beyond the members of the administration, nor would an article of it be known at this day, but for its publication in the newspapers, as communicated by somebody from beyond the water, as we have always understood. But as to myself, I can solemnly protest, as the most sacred of truths, that I never, one instant, lost sight of your reputation and favorable standing with your country, and never omitted

to justify your failure to attain our wish, as one which was probably unattainable. Reviewing therefore, this whole subject, I cannot doubt you will become sensible, that your impressions have been without just ground. I cannot, indeed, judge what falsehoods may have been written or told you; and that, under such forms as to command belief. But you will soon find, my dear Sir, that so inveterate is the rancor of party spirit among us, that nothing ought to be credited but what we hear with our own ears. If you are less on your guard than we are here, at this moment, the designs of the mischief-makers will not fail to be accomplished, and brethren and friends will be made strangers and enemies to each other, without ever having said or thought a thing amiss of each other. I presume that the most insidious falsehoods are daily carried to you, as they are brought to me, to engage us in the passions of our informers, and stated so positively and plausibly as to make even *doubt* a rudeness to the narrator, who, imposed on himself, has no other than the friendly view of putting us on our guard. My answer is, invariably, that my knowledge of your character is better testimony to me of a negative, than any affirmative which my informant did not hear *from yourself* with his own ears. In fact, when you shall have been a little longer among us, you will find that little is to be believed which interests the prevailing passions, and happens beyond the limits of our own senses. Let us not then, my dear

friend, embark our happiness and our affections on the ocean of slander, of falsehood and of malice, on which our credulous friends are floating. If you have been made to believe that I ever did, said, or thought a thing unfriendly to your fame and feelings, you do me injury as causeless as it is afflicting to me. In the present contest in which you are concerned, I feel no passion I take no part, I express no sentiment. Whichever of my friends is called to the supreme cares of the nation, I know that they will be wisely and faithfully administered, and as far as my individual conduct can influence, they shall be cordially supported For myself I have nothing further to ask of the world, than to preserve in retirement so much of their esteem as I may have fairly earned, and to be permitted to pass in tranquillity, in the bosom of my family and friends, the days which yet remain for me. Having reached the harbor myself, I shall view with anxiety (but certainly not with a wish to be in their place) those who are still buffeting the storm, uncertain of their fate. Your voyage has so far been favorable, and that it may continue with entire prosperity, is the sincere prayer of that friendship which I have ever borne you, and of which I now assure you with the tender of my high respect and affectionate salutations.

TO RICHARD M. JOHNSON.

WASHINGTON, March 10, 1808.

SIR,—I am sure you can too justly estimate my occupations, to need an apology for this tardy acknowledgment of your favor of February the 27th. I cannot but be deeply sensible of the good opinion you are pleased to express of my conduct in the administration of our government. This approbation of my fellow-citizens is the richest reward I can receive. I am conscious of having always intended to do what was best for them; and never, for a single moment, to have listened to any personal interest of my own. It has been a source of great pain to me, to have met with so many among our opponents, who had not the liberality to distinguish between political and social opposition; who transferred at once to the person, the hatred they bore to his political opinions. I suppose, indeed, that in public life, a man whose political principles have any decided character, and who has energy enough to give them effect, must always expect to encounter political hostility from those of adverse principles. But I came to the government under circumstances calculated to generate peculiar acrimony. I found all its offices in the possession of a political sect, who wished to transform it ultimately into the shape of their darling model, the English government; and in the meantime, to familiarize the public mind to the change, by administering it on

English principles, and in English forms. The elective interposition of the people had blown all their designs, and they found themselves and their fortresses of power and profit put in a moment into the hands of other trustees. Lamentations and invective were all that remained to them. This last was naturally directed against the agent selected to execute the multiplied reformations, which their heresies had rendered necessary. I became of course the butt of everything which reason, ridicule, malice and falsehood could supply. They have concentrated all their hatred on me, till they have really persuaded themselves, that I am the sole source of all their imaginary evils. I hope, therefore, that my retirement will abate some of their disaffection to the government of their country, and that my successor will enter on a calmer sea than I did. He will at least find the vessel of state in the hands of his friends, and not of his foes. Federalism is dead, without even the hope of a day of resurrection. The quondam leaders, indeed, retain their rancor and principles; but their followers are amalgamated with us in sentiment, if not in name. If our fellow-citizens, now solidly republican, will sacrifice favoritism towards men for the preservation of principle, we may hope that no divisions will again endanger a degeneracy in our government.

* * * * * * * * *

I pray you to accept my salutations, and assurances of great esteem and respect.

Engrossed Declaration of Independence

Photo-engraving from the Original Parchment in the Department of State at Washington, D. C.

For the preservation of the Declaration of Independence, and to give it a more durable form than offered by paper and ink, the Continental Congress on July 19, 1776, "*Resolved*, That the Declaration passed on the 4th be fairly engrossed on parchment, with the title and style of 'The Unanimous Declaration of the Thirteen United States of America;' and that the same, when engrossed, be signed by every member of Congress."

On August 2, 1776, the Declaration, having been engrossed and compared with the original document, was signed by the fifty-six members.

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IN CONGRESS, JULY 4, 1776.

The unanimous Declaration of the thirteen united States of America,

When in the course of human events it becomes necessary for one people to dissolve the political bands which have connected them with another, and to assume among the powers of the earth, the separate and equal station to which the Laws of Nature and of Nature's God entitle them, a decent respect to the opinions of mankind requires that they should declare the causes which impel them to the separation. ——— We hold these truths to be self-evident, that all men are created equal; that they are endowed by their creator with certain unalienable Rights; that among these are life, Liberty and the pursuit of Happiness. ——— That to secure these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed. ——— That whenever any Form of Government becomes destructive of these ends, it is the Right of the People to alter or to abolish it, and to institute new Government, laying its foundation on such principles and organizing its powers in such form, as to them shall seem most likely to effect their Safety and Happiness. Prudence, indeed, will dictate that Governments long established should not be changed for light and transient causes; and accordingly all experience hath shewn, that mankind are more disposed to suffer, while evils are sufferable, than to right themselves by abolishing the forms to which they are accustomed. But when a long train of abuses and usurpations, pursuing invariably the same Object evinces a design to reduce them under absolute Despotism, it is their right, it is their duty, to throw off such Government, and to provide new Guards for their future security. ——— Such has been the patient sufferance of these Colonies; and such is now the necessity which constrains them to alter their former Systems of Government. The history of the present King of Great Britain is a history of repeated injuries and usurpations, all having in direct object the establishment of an absolute Tyranny over these States. To prove this, let Facts be submitted to a candid world. ———

He has refused his Assent to Laws, the most wholesome and necessary for the public good. ——— He has forbidden his Governors to pass Laws of immediate and pressing importance, unless suspended in their operation till his Assent should be obtained; and when so suspended, he has utterly neglected to attend to them. ——— He has refused to pass other Laws for the accommodation of large districts of people, unless those people would relinquish the right of Representation in the Legislature, a right inestimable to them and formidable to tyrants only. ——— He has called together legislative bodies at places unusual, uncomfortable, and distant from the depository of their public Records, for the sole purpose of fatiguing them into compliance with his measures. ——— He has dissolved Representative Houses repeatedly, for opposing with manly firmness his invasions on the rights of the people. ——— He has refused for a long time, after such dissolutions, to cause others to be elected, whereby the Legislative powers, incapable of Annihilation, have returned to the People at large for their exercise; the State remaining in the mean time exposed to all the dangers of invasion from without, and convulsions within. ——— He has endeavored to prevent the population of these States; for that purpose obstructing the Laws for Naturalization of Foreigners; refusing to pass others to encourage their migrations hither, and raising the conditions of new Appropriations of Lands. ——— He has obstructed the Administration of Justice, by refusing his Assent to Laws for establishing Judiciary powers. ——— He has made Judges dependent on his Will alone for the tenure of their offices, and the amount and payment of their salaries. ——— He has erected a multitude of New Offices, and sent hither swarms of Officers to harass our people, and eat out their substance. ——— He has kept among us, in times of peace, Standing Armies without the consent of our legislatures. ——— He has affected to render the Military independent of and superior to the Civil power. ——— He has combined with others to subject us to a jurisdiction foreign to our constitution, and unacknowledged by our laws; giving his Assent to their Acts of pretended Legislation: ——— For Quartering large bodies of armed troops among us: ——— For protecting them, by a mock Trial, from punishment for any Murders which they should commit on the Inhabitants of these States: ——— For cutting off our Trade with all parts of the world: ——— For imposing Taxes on us without our Consent: ——— For depriving us in many cases, of the benefits of Trial by jury: ——— For transporting us beyond Seas to be tried for pretended offences ——— For abolishing the free System of English Laws in a neighbouring Province, establishing therein an Arbitrary government, and enlarging its Boundaries so as to render it at once an example and fit instrument for introducing the same absolute rule into these Colonies: ——— For taking away our Charters, abolishing our most valuable Laws and altering fundamentally the Forms of our Governments ——— For suspending our own Legislatures, and declaring themselves invested with Power to legislate for us in all cases whatsoever. ———

He has abdicated Government here, by declaring us out of his Protection and waging War against us. ——— He has plundered our seas, ravaged our Coasts burnt our towns, and destroyed the lives of our people. ——— He is at this time transporting large Armies of foreign Mercenaries to compleat the works of death, desolation and tyranny, already begun with circumstances of Cruelty & perfidy scarcely paralleled in the most barbarous ages, and totally unworthy the Head of a civilized nation. ——— He has constrained our fellow Citizens taken Captive on the high Seas to bear Arms against their Country, to become the executioners of their friends and Brethren, or to fall themselves by their Hands. ——— He has excited domestic insurrections amongst us, and has endeavoured to bring on the inhabitants of our frontiers, the merciless Indian Savages, whose known rule of warfare, is an undistinguished destruction of all ages, sexes and conditions. In every stage of these Oppressions We have Petitioned for Redress in the most humble terms: Our repeated Petitions have been answered by repeated injury. A Prince whose character is thus marked by every act which may define a Tyrant is unfit to be the ruler of a free people. Nor have We been wanting in attentions to our British brethren. We have warned them from time to time of attempts by their legislature to extend an unwarrantable jurisdiction over us. We have reminded them of the circumstances of our emigration and settlement here. We have appealed to their native justice and magnanimity, and we have conjured them by the ties of our common kindred to disavow these usurpations, which would inevitably interrupt our connections and correspondence. They too have been deaf to the voice of justice and of consanguinity. We must, therefore, acquiesce in the necessity, which denounces our Separation, and hold them, as we hold the rest of mankind, Enemies in War, in Peace Friends. ———

We, therefore, the Representatives of the united States of America, in General Congress, Assembled, appealing to the Supreme Judge of the world for the rectitude of our intentions, do, in the Name and by authority of the good People of these Colonies, solemnly publish and declare, That these United Colonies are, and of Right ought to be Free and Independent States; that they are Absolved from all Allegiance to the British Crown, and that all political connection between them and the State of Great Britain, is and ought to be totally dissolved; and that as Free and Independent States, they have full Power to levy War, conclude Peace, contract Alliances, establish Commerce, and to do all other Acts and Things which Independent States may of right do. ——— And for the support of this Declaration, with a firm reliance on the protection of divine Providence, we mutually pledge to each other our lives, our Fortunes and our sacred Honor.

John Hancock

Button Gwinnett
Lyman Hall
Geo Walton

Wm. Hooper
Joseph Hewes
John Penn

Edward Rutledge

Thos Heyward Junr.
Thomas Lynch Junr.
Arthur Middleton

Samuel Chase
Wm. Paca
Thos. Stone
Charles Carroll of Carrollton

George Wythe
Richard Henry Lee
Th. Jefferson
Benj. Harrison
Thos. Nelson jr.
Francis Lightfoot Lee
Carter Braxton

Robt Morris
Benjamin Rush
Benj. Franklin
John Morton
Geo. Clymer
Jas. Smith
Geo. Taylor
James Wilson
Geo. Ross

Caesar Rodney
Geo. Read
Tho. M'Kean

Wm. Floyd
Phil. Livingston
Fran. Lewis
Lewis Morris

Richd. Stockton
Jno. Witherspoon
Fras. Hopkinson
John Hart
Abra. Clark

Josiah Bartlett
Wm. Whipple

Saml. Adams
John Adams
Robt. Treat Paine
Elbridge Gerry

Step. Hopkins
William Ellery

Roger Sherman
Sam'el Huntington
Wm. Williams
Oliver Wolcott

Matthew Thornton

TO JAMES MADISON.

WASHINGTON, March 11, 1808.

I suppose we must despatch another packet by the 1st of April at farthest. I take it to be an universal opinion that war will become preferable to a continuance of the embargo after a certain time. Should we not then avail ourselves of the intervening period to procure a retraction of the obnoxious decrees peaceably, if possible? An opening is given us by both parties, sufficient to form a basis for such a proposition.

I wish you to consider, therefore, the following course of proceeding, to wit:

To instruct our ministers at Paris and London, by the next packet, to propose immediately to both those powers a declaration on both sides that these decrees and orders shall no longer be extended to vessels of the United States, in which case we shall remain faithfully neutral; but, without assuming the air of menace, to let them both perceive that if they do not withdraw these orders and decrees, there will arrive a time when our interests will render war preferable to a continuance of the embargo; that when that time arrives, if one has withdrawn and the other not, we must declare war against that other; if neither shall have withdrawn, we must take our choice of enemies between them. This it will certainly be our duty to have ascertained by the time Congress shall meet in the fall

or beginning of winter; so that taking off the embargo, they may decide whether war must be declared, and against whom. Affectionate salutations.

TO GOVERNOR WILLIAM H. CABELL.

WASHINGTON, March 13, 1808.

DEAR SIR,—I received last night your favor of the 10th. There can certainly be no present objection to the forwarding the letters therein mentioned, according to their address.

We have nothing new of importance, except that at the last reading of an amendatory bill a few days ago, the House of Representatives were surprised into the insertion of an insidious clause permitting any merchant having *property* abroad, on proving it to the executive, to send a ship for it. We are already overwhelmed with applications, and there is real danger that the great object of the embargo in keeping our ships and seamen out of harm's way, will be defeated; and every vessel and seaman sent out under this pretext, and placed in the prize of the belligerent tyrants. I salute you with friendship and respect.

TO ALBERT GALLATIN.

WASHINGTON, March 17, 1808.

I think it will be impossible to form general rules for carrying into execution the seventh section of

the law of March 12th, without a fuller view of the number and nature of the cases which are to come under it. I have waited in expectation the applications would multiply so as to give one a general view, but I have received but about half a dozen. But, indeed, nothing short of a knowledge of all the cases can enable us to provide for them. I have been wishing, therefore, to converse with you on this proposition; to wit, to direct the collectors to advertise in their respective ports, that all persons desiring the benefit of that law, must *immediately* deliver to him a statement of the *place* where they have property, its *amount*, whether *cash* or *goods*, and what *kind* of goods, and in whose *hands*, on oath, but without exhibiting other proofs till further called on. These particulars may be stated in a tabular view; for *cash* we might authorize vessels to go immediately, but for goods rules must be framed on a view of all circumstances.

With respect to the constitution of the act, there are cases in the books where the word "may" has been adjudged equivalent to "shall," but the term "is authorized," unless followed by "and required," was, I think, never so considered. On the contrary, I believe it is the very term which Congress always use toward the executive when they mean to give a power to him, and leave the use of it to his discretion.

It is the very phrase on which there is now a difference in the House of Representatives, on the bill

for raising 6,000 regulars, which says "there shall be raised," and some desire it to say "the President is authorized to raise," leaving him the power with a discretion to use it or not. It is to be observed also that the one construction puts it in the power of individuals to defeat the embargo in a great measure, while the other leaves a power to combine a due regard to the object of the law with the interests of individuals. I like your idea of proportioning the tonnage of the vessel to the value (in some degree) of the property, but its bulk must also be taken into consideration. On the whole, I should be for giving prompt permission to bring home money, because one vessel will bring for all those who have cash at the same port; but the bringing property in other forms, will require a fuller view and digest of rules. Affectionate salutations.

TO W. C. NICHOLAS, ESQ.

WASHINGTON, March 20, 1808.

DEAR SIR,—Your favor of the 18th is duly received. Be assured that I value no act of friendship so highly as the communicating facts to me, which I am not in the way of knowing otherwise, and could not therefore otherwise guard against. I have had too many proofs of your friendship not to be sensible of the kindness of these communications, and to receive them with peculiar obligation. The receipt of Mr. Rose's answer has furnished the

happiest occasion for me to present to Congress a complete view of the ground on which we stand with the two principal belligerents, and, with respect to France, to lay before them, *for the public*, every communication received from that government since the last session, including those heretofore sent, in order that they also may be published, and let our constituents see whether these papers gave just ground for the falsehoods which have been so impudently advanced. We shall hope to see you today. Affectionate salutations.

TO DOCTOR CASPAR WISTAR.

WASHINGTON, March 20, 1808.

DEAR SIR,—Yours of the 12th is received. Congress, I think, will rise in about three weeks,—say about the 11th of April, and I shall leave this five or six days after, on a visit of some length to Monticello. This illy accords with your journey to the westward in May; but can you not separate your excursion to this place from the western journey? Between Philadelphia and this place is but two days, and the roads are already fine. I would propose, therefore, that you should come a few days before Congress rises, so as to satisfy that article of your curiosity. The bones are spread in a large room, where you can work at your leisure, undisturbed by any mortal, from morning till night, taking your breakfast and dinner with us. It is a

precious collection, consisting of upwards of three hundred bones, few of them of the large kinds which are already possessed. There are four pieces of the head, one very clear, and distinctly presenting the whole face of the animal. The height of his forehead is most remarkable. In this figure, the indenture at the eye gives a prominence of six inches to the forehead. There are four jaw-bones tolerably entire, with several teeth in them, and some fragments; three tusks like elephants; one ditto totally different, the largest probably ever seen, being now from nine to ten feet long, though broken off at both ends; some ribs; an abundance of teeth studded, and also of those of the striated or ribbed kind; a fore-leg complete; and then about two hundred small bones, chiefly of the foot. This is probably the most valuable part of the collection, for General Clarke, aware that we had specimens of the larger bones, has gathered up everything of the small kind. There is one horn of a colossal animal. The bones which came do not correspond exactly with General Clarke's description; probably there were some omissions of his packers. Having sent my books to Monticello, I have nothing here to assist you but the "Encyclopédie Methodique." I hope you will make this a separate excursion; and come before Congress rises, whenever it best suits you. I salute you with friendship and respect.

TO THE DEMOCRATIC CITIZENS OF THE COUNTY OF ADAMS, PENNSYLVANIA.

WASHINGTON, March 20, 1808.

I see with pleasure, fellow-citizens, in your address of February 15th, a sound recurrence to the first principles on which our government is founded; an examination by that test of the rights we possess, and the wrongs we have suffered; a just line drawn between a wholesome attention to the conduct of rulers, and a too ready censure of that conduct on every unfounded rumor; between the love of peace, and the determination to meet war, when its evils shall be less intolerable than the wrongs it is meant to correct. With so just a view of principles and circumstances, your approbation of my conduct, under the difficulties which have beset us on every side, is doubly valued by me, and offers high encouragement to a perseverance in my best endeavors for the preservation of your peace, so long as it shall be consistent with the preservation of your rights. When this ceases to be practicable, I feel entire confidence in the arduous exertions which you pledge in support of the measures which may be called for by the exigencies of the times, and in the known energies and enterprise of our countrymen in whatsoever direction they are pointed. If these energies are embodied by an union of will, and by a confidence in those who direct it, our nation, so favored in its situation, has nothing to fear from any quarter. To

that union of effort may our citizens ever rally, minorities falling cordially, on the decision of a question, into the ranks of the majority, and bearing always in mind that a nation ceases to be republican only when the will of the majority ceases to be the law. I thank you, fellow-citizens, for the solicitude you kindly express for my future welfare. A retirement from the exercise of my present charge is equally for your good and my own happiness. Gratitude for past favors, and affectionate concern for the liberty and prosperity of my fellow-citizens, will cease but with life to animate my breast.

TO ALBERT GALLATIN.

WASHINGTON, March 23, 1808.

It is a maxim of our municipal law, and, I believe, of universal law, that he who permits the *end*, permits of course the *means*, without which the end cannot be effected. The law permitting rum, molasses, and sugar, to be imported from countries which have not packages for them, would be construed in the most rigorous courts to permit them to be carried. They would consider the restriction to ballast and provisions as a restriction to necessaries, and merely equivalent to a declaration that they shall carry out nothing for sale.

This is certainly one object of the law, and the second is to import the property; and to these objects all constructions of it should be directed. I have

no doubt, therefore, that Messrs. Low and Wallace, and others, should be allowed to carry out the necessary and sufficient packages. But a right to take care that the law is not evaded, allows us to prescribe that kind of package which can be best guarded against fraud. Boxes ready made could not, perhaps, be so easily probed, to discover if they contained nothing for exportation Casks filled with water can be easily sounded from the bunghole. If you think, therefore, that one kind of package is safer than another, it may be prescribed; for that nothing for sale shall be exported is as much the object of the law, as that their property shall be imported. Reasonable attention is due to each object. Affectionate salutations.

TO MONSIEUR LE VAVASSEUR.

WASHINGTON, March 23, 1808.

SIR,—I am sensible of the extraordinary ingenuity and merit of the work which you offer to the acquisition of our government. It would certainly be an ornament to any country. But with such an immense extent of country before us, wanting common improvement to render it productive, the United States have not thought the moment as yet arrived when it would be wise in them to divert their funds to objects less pressing; no law has yet authorized acquisitions of this character. The idea of rendering the Greek and Latin languages living, has cer-

tainly some captivating points. The experiment has, I believe, been tried in Europe as to the Latin language, but with what degree of success I am not precisely informed. I suppose it very possible to reform the language of the modern Greeks to the ancient standard, and that this may one day take place. But in our infant country objects more urgent force themselves on our attention, and call for the aid of all our means. These peculiarities of our situation deprive us of the advantage of availing our country of propositions which, in a more advanced stage of improvement, might be entitled to consideration.

Permit me to tender my salutations, and assurances of respect

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TO LEVI LINCOLN.

WASHINGTON, March 23, 1808.

DEAR SIR,—Your letter on the subject of Mr. Lee came safely to hand. You know our principles render federalists in office safe, if they do not employ their influence in opposing the government, but only give their own vote according to their conscience. And this principle we act on as well with those put in office by others, as by ourselves.

We have received from your presses a very malevolent and incendiary denunciation of the administration, bottomed on absolute falsehood from beginning to end. The author would merit exemplary punishment for so flagitious a libel, were not

the torment of his own abominable temper punishment sufficient for even as base a crime as this. The termination of Mr. Rose's mission, *re infecta*, put it in my power to communicate to Congress yesterday, everything respecting our relations with England and France, which will effectually put down Mr. Pickering, and his worthy coadjutor Mr. Quincy. Their tempers are so much alike, and really their persons, as to induce a supposition that they are related. The embargo appears to be approved, even by the federalists of every quarter except yours. The alternative was between that and war, and in fact, it is the last card we have to play, short of war. But if peace does not take place in Europe, and if France and England will not consent to withdraw the operation of their decrees and orders from us, when Congress shall meet in December, they will have to consider at what point of time the embargo, continued, becomes a greater evil than war. I am inclined to believe, we shall have this summer and autumn to prepare for the defence of our seaport towns, and hope that in that time, the works of defence will be completed which have been provided for by the Legislature. I think Congress will rise within three weeks.

I salute you with great affection and respect.

TO ALBERT GALLATIN.

WASHINGTON, March 26, 1808.

Mr. Madison happening to call on me just now, I consulted him on the subject of Hoffman's letter. We both think that it would be neither just nor expedient that the supplies necessary to the existence of the Indians should be cut off from them; and that if no construction of the embargo law will permit the passage of their commerce, and if that law could, and did intend to control the treaty, (the last of which is hardly to be believed,) then an amendment should be asked of Congress. I have no copy of the law by me, and indeed am too unwell for very close exercise of the mind. Affectionate salutations.

TO CHARLES PINCKNEY.

WASHINGTON, March 30, 1808.

DEAR SIR,—Your letter of the 8th was received on the 25th, and I proceed to state to you my views of the present state and prospect of foreign affairs, under the confidence that you will use them for your own government and opinions only, and by no means let them get out as from me. With France we are in no *immediate* danger of war. Her future views it is impossible to estimate. The immediate danger we are in of a rupture with England, is postponed for this year. This is effected by the embargo, as

the question was simply between that and war. That may go on a certain time, perhaps through the year, without the loss of their property to our citizens, but only its remaining unemployed on their hands. A time would come, however, when war would be preferable to a continuance of the embargo. Of this Congress may have to decide at their next meeting. In the meantime, we have good information, that a negotiation for peace between France and England is commencing through the medium of Austria. The way for it has been smoothed by a determination expressed by France (through the Moniteur, which is their government paper) that herself and her allies will demand from Great Britain no renunciation of her maritime principles; nor will they renounce theirs. Nothing shall be said about them in the treaty, and both sides will be left in the next war to act on their own. No doubt the meaning of this is, that all the *Continental* powers of Europe will form themselves into an armed neutrality, to enforce their own principles. Should peace be made, we shall have safely rode out the storm in peace and prosperity. If we have anything to fear, it will be after that. Nothing should be spared from this moment in putting our militia in the best condition possible, and procuring arms. I hope, that this summer, we shall get our whole seaports put into that state of defence, which Congress has thought proportioned to our circumstances and situation; that is to say, put *hors d'insulte* from a mari-

time attack, by a moderate squadron. If armies are combined with their fleets, then no resource can be provided, but to meet them in the field. We propose to raise seven regiments only for the present year, depending always on our militia for the operations of the first year of war. On any other plan, we should be obliged always to keep a large standing army. Congress will adjourn in about three weeks. I hope Captain McComb is getting on well with your defensive works. We shall be able by mid-summer, to give you a sufficient number of gunboats to protect Charleston from any vessel which can cross the bar; but the militia of the place must be depended on to fill up the complement of men necessary for action in the moment of an attack, as we shall man them, in ordinary, but with their navigating crew of eight or ten good seamen.

I salute you with great esteem and respect.

TO ALBERT GALLATIN.

WASHINGTON, March 31, 1808.

If, on considering the doubts I shall suggest, you shall still think your draught of a supplementary embargo law sufficient, in its present form, I shall be satisfied it is so, for I have but one hour in the morning in which I am capable of thinking, and that is too much crowded with business to give me time to think.

1. Is not the first paragraph against the Constitution, which says no preference shall be given to the ports of one State over those of another? You might put down those parts as ports of entry, if that could be made to do.

2. Could not your second paragraph be made to answer by making it say that no clearance shall be furnished to any vessel laden with *provisions* or *lumber*, to go from one port to another of the United States, without special permission, etc.? In that case we might lay down rules for the necessary removal of provisions and lumber, inland, which should give no trouble to the citizens, but refuse licenses for all coasting transportation of those articles but on such applications from a Governor as may ensure us against any exportation but for the consumption of his State. Portsmouth, Boston, Charleston, and Savannah, are the only ports which cannot be supplied inland. I should like to prohibit *collections*, also, made evidently for clandestine importation.

3. I would rather strike out the words "in conformity with treaty" in order to avoid any express recognition at this day of that article of the British treaty. It has been so flagrantly abused as to excite the Indians to war against us, that I should have no hesitation in declaring it null, as soon as we see means of supplying the Indians ourselves.

I should have no objections to extend the exception to the Indian furs purchased by our traders and sent into Canada. Affectionate salutes.

TO ROBERT SMITH.

WASHINGTON, April 1, 1808.

I approve of your letter to Commodore Murray entirely, and in order to settle what shall be our course for the summer (now that we are tolerably clear, that no rupture with England is likely to take place during the summer), I propose, the first day that I can be well enough, for a couple of hours to ask a meeting of our colleagues to determine these questions:

Shall the proclamation be renewed or suffered to expire?

Shall the harbors of ordinary British resort (say New York, Lynhaven, and Charleston) be furnished with their full quota of gunboats, with their *navigating* crews?

Shall the residue of the 170 gunboats be distributed among the other ports, with their navigating crews, or be laid up or left on their stocks?

Shall the frigates and Wasp be unmanned?

Affectionate salutations.

TO ALBERT GALLATIN.

WASHINGTON, April 2, 1808.

SIR,—On the amendments to the embargo law, I am perfectly satisfied with whatever you have concluded on after consideration of the subject. My view was only to suggest for your consideration

not having at all made myself acquainted with the details of that law. I therefore return you your bill, and wish it to be proposed. I will this day nominate Elmer. The delegates of North Carolina expect daily to receive information on the subject of a Marshal. Is the Register's office at New Orleans vacant? Claiborne says it is, and strongly recommends Robertson the Secretary. He will be found one of the most valuable men we have brought into the public service for integrity, talents and amiability. Affectionate salutations.

TO ALBERT GALLATIN.

WASHINGTON, April 8, 1808.

I suppose that Favre can carry his necessary provisions from New Orleans across the lake in a periagua or some other vessel, which may come under the exception of vessels under the immediate direction of the President, and that being an agent of the United States for the transmission of public intelligence, such a license is perfectly legitimate. If this were a matter of doubt, its solution would be to be sought in the intention of the Legislature, which was to keep our seamen and property from capture, and to starve the offending nations. But Favre is our own agent, and we may as well remit provisions to him as money to our other foreign agents. It appears to me to be so clearly out of the scope of the prohibitions of the embargo law, and

within its exceptions, that I should be for allowing him to take out his provisions for his family, under the superintendence of the Collector. Affectionate salutations.

TO JOHN JACOB ASTOR.

WASHINGTON, April 13, 1808.

SIR,—I have regretted the delay of this answer to your letter of February 27th, but it has proceeded from circumstances which did not depend on me. I learn with great satisfaction the disposition of our merchants to form into companies for undertaking the Indian trade within our own territories. I have been taught to believe it an advantageous one for the individual adventurers, and I consider it as highly desirable to have that trade centered in the hands of our own citizens. The field is immense, and would occupy a vast extent of capital by different companies engaging in different districts. All beyond the Mississippi is ours exclusively, and it will be in our power to give our own traders great advantages over their foreign competitors on this side the Mississippi. You may be assured that in order to get the whole of this business passed into the hands of our own citizens, and to oust foreign traders, who so much abuse their privilege by endeavoring to excite the Indians to war on us, every reasonable patronage and facility in the power of the Executive will be afforded. I salute you with respect.

TO ALBERT GALLATIN.

WASHINGTON, April 14, 1808.

I should think Mr. Woodside's application to send provisions for the family of our consul at Madeira, admissible on the same ground as that lately to Favre, were the necessity as evident, but I suppose it can hardly be doubted that England will procure provisions for that island, and there is danger of one precedent in our relaxations begetting another till we may get out of the limits of the law and its object.

The application for the establishment of a packet on Lake Champlain cannot be admitted. Such an establishment is by no means within the description of those which we have proposed to license; it would give too great a facility to evade the law, and the builder is in no worse situation than the many others who began their vessels before the embargo law, and who will not be permitted to use them till that is repealed. Affectionate salutations.

TO ALBERT GALLATIN.

WASHINGTON, April 19, 1808.

DEAR SIR,—Sincerely sympathizing in your distress, which much experience in the same school has taught me to estimate, I could not have been induced to intrude on it by anything short of the urgency of the case stated by Penniman on Lake Champlain. Messrs. Robinson and Witherall tell me the whole of

the business will be over early in May, when the fall of the water renders the rapids impassable for rafts. They think vessels of any kind desired, can be had on the Lake at a moment's warning, and guns of 6 lbs. ball, there also, mounted on them by procurement of the collector, and that the governor would order any assistance of militia on being written to. Believing it important to crush every example of forcible opposition to the law, I propose to ask the other gentlemen to a consultation immediately, and for their and my guide have to request any ideas on the subject which you can hastily give me on paper, for which I would not have troubled you, but from a confidence that your knowledge of the character and means possessed by the collector there, and of the local circumstances to be attended to, may enable us to decide on what will be most proper and effectual. I salute you with affection.

P. S. Return me Penniman's letter if you please, to lay before the gentlemen.

TO ALBERT GALLATIN.

WASHINGTON, April 19, 1808.

We have concluded as follows:

1st. That a letter from your department to the collector on Lake Champlain, shall instruct him to equip and arm what vessels he can and may think necessary, and luggage as many persons on board

them as may be necessary, and can be engaged *voluntarily* by force of arms, or otherwise, to enforce the law.

2d. The Secretary of State writes to the Marshal, if the opposition to the law is too powerful for the collector, to raise his posse, (which, as a peace officer, he is fully authorized to do on any forcible breach of the peace,) and to aid in suppressing the insurrection or combination.

3d. The Secretary at War desires the Governor, if the posse is inadequate, to publish a proclamation with which he is furnished, and to call on the militia. He is further, by a private letter, requested to repair to the place, and lend the aid of his counsel and authority according to exigencies.

We have further determined to build two gunboats at Skanesborough. Affectionate salutations.

P. S. General Dearborn has Penniman's letter to copy for the Governor.

TO ALBERT GALLATIN.

WASHINGTON, April 22, 1808.

Did I lend you the Pennsylvania act permitting our Western road to pass through that State? If I did, or if you have a copy of it, I shall be very glad to see it. Mr. Hodge gave me notice yesterday that there would be legal opposition to that road's passing in any other direction than through Washing-

ton, their construction being, that if in fact a *good* road can be got by Washington, the law obliges me to direct it through that; and they have got a survey made on which they affirm the fact to be that a *good* road may be had. I know my determination was not to yield to the example of a State's prescribing the direction of the road; and I understood the law as leaving the route ultimately to me. If I have misconstrued the law, I shall be sorry for the money spent on a misconstruction, but that loss will be a lesser evil to the United States than a single example of yielding to a State the direction of a road made at the national expense and for national purposes. If you have not the law, I must write by this day's post to Mr. Moore, to suspend all further proceedings till we can see whether we are really at liberty to pursue the route we have proposed, or must adopt another which shall not enter the State of Pennsylvania.

Affectionate salutations.

TO ALBERT GALLATIN.

WASHINGTON, April 23, 1808.

My ideas on the questions relative to the active letter of Marque stated in your letter of yesterday, are as follows:

1st. Letters of Marque have been considered, ever since the decisions of 1703, to be of a mixed character, but that the commercial character predominates; and as a commercial vessel of private property we

have in some cases since the proclamation of July, considered them as not included in its restrictions.

2d. The law of 1794, June 5th, certainly exempts the enlistment of foreigners in this country on board the vessels of their sovereign, from the penalties of that law, and leaves the subject merely under the law of nations. By that law the right of enlistment in a neutral country, given to both belligerents if they can devise equal advantage from it, is no breach of neutrality, but otherwise becomes questionable. We may, justly, I think, permit a vessel of either nation to supply its desertions by new engagements; but we should be cautious as to permitting them to increase their number, to carry away more than they brought in.

3d. It is difficult to draw a line between the two cases where the collector should consult the government, and where the district attorney. Where a case is political, rather than legal, or where it arises even on a *law* whose object is rather political than municipal, the government should be consulted; and where the district attorney is the proper resort, still it should be on consultation by the collector, and not by the party interested. Affectionate salutations.

TO THE SECRETARY OF STATE
(JAMES MADISON).

WASHINGTON, April 23, 1808.

Notes on the British claims in the Mississippi territory.

1803, March 3d, act of Congress gave to March 31, 1804, to exhibit their claims on grants.

1804, March 27, act of Congress gave to November 30, 1804, and allowed transcripts instead of originals, etc.

1805, March 2d, act of Congress gave to December 1, 1805, to file their grants. And in fact to Jan. 1, 1807, time when the sale might begin.

1807, December 15, the British claimants memorialize again.

On no one of the acts did the British claimant take any step towards specifying his claim or its location, but remained inactive till the time was expired, and then remonstrated to his government that we had not given them time sufficient. And on the last of 1805, instead of having come forward with his claims, ready to avail himself of the third term which was then to be asked, and which was granted nominally to December 1, 1805, but in effect to January 1, 1807, he stays at home inactive, and on the 15th of December, 1807, again gives in a memorial that we have not given time enough, but still takes no step to inform us what and where his claim is.

Although these titles may have been confirmed by

treaty, yet they could not thereby be intended to be withdrawn from the jurisdiction or conditions on which lands are held even by citizens. It is evident that these claimants are speculators, whose object is to make what profit they can out of the patronage of the government, but to make no sacrifice of hemselves either of money or trouble. They are entitled, therefore, to no further notice from either government. However, Mr. Erskine may be informed *verbally*, that as the day of commencing sales of lands there is now put off to January 1, 1809, if any of these claimants will, before that day, file their claim, with its *precise location*, the executive is authorized to suspend the sale of any particular parcels, and will as to that, till the proper authority can decide on the title, but that the settlement of that country in general, is too pressing to be delayed one day by claims under the circumstances of these.

TO ALBERT GALLATIN.

WASHINGTON, April 23, 1808.

The leading object of the enclosed application from the owners of the Topaz, is to send witnesses and documents to save the property of the ship and cargo seized. But as the Topaz would be insufficient to bring home the whole property if cleared, the permission of sending a vessel may be on the ordinary ground of bringing home the property. But do the restrictions of the embargo laws (for I

have them not) inhibit the passing from port to port as proposed in the enclosed? And do they admit, (in case the Topaz and her cargo are condemned,) that the vessel sent out should bring home other property to cover the expenses of the ineffectual voyage? On these questions I must ask your opinion, as General Smith will call on me to-morrow. The questions had been brought to me originally by Mr. Taylor, because he happened to come at a moment when you were confined. Affectionate salutes.

TO CAESAR A. RODNEY.

WASHINGTON, April 24, 1808.

Thomas Jefferson returns the enclosed to Mr. Rodney, with thanks for the communication. It is very evident that our embargo, added to the exclusions from the Continent, will be most heavily felt in England and Ireland. Liverpool is remonstrating, and endeavoring to get the other posts into motion. Yet the bill confirming the orders of council is ordered to a third reading, which shows it will pass. Congress has just passed an additional embargo law, on which if we act as boldly as I am disposed to do, we can make it effectual. I think the material parts of the enclosed should be published. It will show our people that while the embargo gives us double rations, it is starving our enemies. This six months' session has worn me down to a state of almost total

incapacity for business. Congress will certainly rise to-morrow night, and I shall leave this for Monticello on the 5th of May, to be here again on the 8th of June. I salute you with constant affection and respect.

TO COLONEL WILLIAM A. WASHINGTON.

WASHINGTON, April 24, 1808.

DEAR SIR,—So uncertain has been the situation of our affairs with England, and yet so much bearing would they have on those with the Indians, that I have delayed answering your favor of October 5th until I could see a little way before me. At present I think a continuance of our peace till the next meeting of Congress (November) probable. I have now addressed a message to the Indians in the northwest, in which I inform them of our differences with England, and of the uncertainty how they will issue. Assure them of the continuance of our friendship, and advise them in any event to remain quiet at home, taking no part in our quarrel, and declaring unequivocally that if any nation takes up the hatchet against us, we will drive them from the land of their fathers, and never more permit their return. With respect to the prophet, I really believe the opinion you formed of his views is correct. But we have heard so many different stories since, that we are awaiting some information which we expect to receive before we make up a definitive opinion. This much, how-

ever, we determine; and he might know that if we become dissatisfied that his views are friendly, we shall extend to him all the patronage and good offices in our power, and shall establish a store in his new settlement; and particularly if we find him endeavoring to reform the morality of the Indians, and encourage them in industry and peace, we shall do what we can to render his influence as extensive as possible. I had been in hopes that a change in the British ministry would have produced a revocation of the orders of council, which called for our embargo, and an European peace, so as to have removed all danger of our being dragged into the war. But our advices to the 14th of March show they still retained a good majority in Parliament. Should they continue in office, our peace will continue uncertain. Accept my salutations, and assurances of great esteem and respect.

TO THE SECRETARY OF THE TREASURY (ALBERT GALLATIN).

WASHINGTON, April 30, 1808.

Case of the Fleusburg.

Our laws permit a foreigner to hold any property in our country, except lands. A foreigner may contract for a ship to be built for him, so that she will be his from the time of laying the keel; or he may contract so as that she shall be his only when launched,

or when rigged, etc. The act of delivery to him or his agents fixes, in that case, the moment when she becomes his property. If the Fleusburg was delivered to the agent of the Danish merchant, by such an act of delivery as by our laws will transfer personal property, before the 22d of December, she was then Danish property. The statement says that a bill o building and sale, dated December 10th, proved her to be then Danish property. If the collector shall find that she was actually Danish property before December 22d, I should think her entitled as a foreign vessel. I suppose she did not take out an American register. This would be corroborative proof that, though built in America, she was not meant to be, nor ever became, an American bottom; for I presume the register is what completes the American bottom. The matter of fact should be proved to the collector.

Rhode Island Packets.

The pretension that the navigation from Newport to New York is entirely a navigation of rivers, bays, and sounds, would take from language all kind of certainty. There is not one point of the coast of Rhode Island, from which a perpendicular line does not lead into the main ocean. A very small proportion of these would lead across Block Island. But to say that Block Island covers the whole coast from Martha's Vineyard to Long Island, so as to make it a Sound, is too gross for any one who casts

his eyes on the maps. The difference of regulation, too, between bay-craft and coasting vessels, since the act of April 25th, is very inconsiderable.

TO GENERAL HENRY DEARBORN.

WASHINGTON, April 29, 1808.

Thomas Jefferson will thank General Dearborn to consider the enclosed. The writer appears to have that sincere enthusiasm for his undertaking which will ensure success. The education of the common people around Detroit is a most desirable object, and the proposition of extending their views to the teaching the Indian boys and girls to read and write, agriculture and mechanic trades to the former, spinning and weaving to the latter, may perhaps be acceded to by us advantageously for the Indians, and the bounties paid for them be an aid to the other objects of the institution. Affectionate salutations.

TO THE SECRETARY OF STATE (JAMES MADISON).

WASHINGTON, April 30, 1808.

Notes on such parts of Fronda's letter of April 26th, 1808, as are worth answering:—

I. I know of no recent orders to Governor Claiborne as to the navigation of the Mississippi, Uberville, and Pontchartrain; he should specify them, but he may be told that no order has ever been given

contrary to the rights of Spain. These rights are, 1st, a treaty right that "the ships of Spain coming directly from Spain or her colonies, loaded only *with the produce* or manufactures of Spain or her colonies, shall be admitted during the space of twelve years in the ports of New Orleans, and in all other legal ports of entry within the ceded territory, in the same manner as the ships of the United States, etc." 2d. A right of innocent passage from the mouth of the Mississippi to 31° of latitude, exactly commensurate with our right of innocent passage up the rivers of Florida to 31° of latitude.

II. In answer to his question whether we consider Mobile among the ports of the United States, he may be told that so long as we consider the question whether the Perdido is not the eastern boundary of Louisiana, as continuing in a train of amicable proceedings for adjustment, so long that part only of the river Mobile, which is above 31° of latitude, will be considered among the ports of the United States, withholding the exercise of jurisdiction on our part within the disputed territory, on the general principle of letting things remain *in statu quo pendente lite*.

There is nothing else in this letter worth answering.

TO WILLIAM LYMAN, ESQ.

WASHINGTON, April 30, 1808.

SIR,—Your favor of the 11th of July came to hand a little before the meeting of Congress, and soon

after I received the apparatus for stylographic writing, which you were so kind as to send me, for which I pray you to receive my particular thanks.

The invention is certainly very ingenious, and while it compares advantageously with all others in other circumstances, it has an unrivalled preference as being so much more profitable. I had never heard of the invention till your letter announced it, for these novelties reach us very late, which renders your attentions on the occasion more acceptable, and more entitled to the acknowledgments which I now tender. The decrees and orders of the belligerent nations having amounted nearly to declarations that they would take our vessels wherever found, Congress thought it best in the first instance to break off all intercourse with them. They adjourned on Monday last, having passed an act authorizing me to suspend the embargo whenever the belligerents should revoke their decrees or orders as to us. The embargo must continue, therefore, till they meet again in November, unless the measures of the belligerents should change. When they meet again, if these decrees and orders still continue, the question which they will have to decide will be, whether a continuance of the embargo or war will be preferable. In the meantime great advances are making in the establishment of manufactures. Those of cotton will, I think, be so far proceeded on, that we shall never again have to recur to the importation of cotton goods for our own use. I tender

you my salutations, and the assurances of my great respect.

TO GENERAL JOHN ARMSTRONG.

WASHINGTON, May 2, 1808.

DEAR GENERAL,—A safe conveyance offering by a special messenger to Paris, I avail myself of it to bring up my arrears to my foreign correspondents. I give them the protection of your cover, but to save the trouble of your attention to their distribution, I give them an inner cover to Mr. Harden, whose attentions heretofore have encouraged me to ask this favor of him. But should he not be with you, I must pray you to open my packages to him, and have them distributed, as it is of importance that some of them should be delivered without delay. I shall say nothing to you on the subject of our foreign relations, because you will get what is official on that subject from Mr. Madison.

During the present paroxysm of the insanity of Europe, we have thought it wisest to break off all intercourse with her. We shall, in the course of this year, have all our seaports, of any note, put into a state of defence against naval attacks. Against great land armies we cannot attempt it but by equal armies. For these we must depend on a classified militia, which will give us the service of the class from twenty to twenty-six, in the nature of conscripts, composing a body of about 250,000, to be

specially trained. This measure, attempted at a former session, was passed at the last, and might, I think, have been carried by a small majority. But considering that great innovations should not be forced on a slender majority, and seeing that the general opinion is sensibly rallying to it, it was thought better to let it lie over to the next session, when, I trust, it will be passed. Another measure has now twice failed, which I have warmly urged, the immediate settlement by donation of lands, of such a body of militia in the territories of Orleans and Mississippi, as will be adequate to the defence of New Orleans. We are raising some regulars in addition to our present force, for garrisoning our seaports, and forming a nucleus for the militia to gather to. There will be no question who is to be my successor. Of this be assured, whatever may be said by newspapers and private correspondences. Local considerations have been silenced by those dictated by the continued difficulties of the times. One word of friendly request: be more frequent and full in your communications with us. I salute you with great friendship and respect.

TO GENERAL THADDEUS KOSCIUSKO.

WASHINGTON, May 2, 1808.

MY VERY DEAR GENERAL,—A safe conveyance offering by a special messenger to Paris, Mr. Barnes has requested me to avail you of it, by sending a

remittance of a thousand dollars, for which a draught is under cover. I shall not write to you on the subject of our foreign relations, because of the dangers by sea and the dangers by land. During the present paroxysm of the insanity of Europe, we have thought it wisest to break off all intercourse with her. We shall, in the course of this year, have all our seaports of any note put into a state of defence against naval attacks. Against great land armies we cannot attempt it but by equal armies. For these we must depend on a classified militia, which will give us the service of the class from twenty to twenty-six, in the nature of conscripts, composing a body of about 250,000, to be specially trained. This measure, attempted at a former session, was passed at the last, and might, I think, have been carried by a small majority; but considering that great innovations should not be forced on slender majorities, and seeing that the public opinion is sensibly rallying to it, it was thought better to let it lie over to the next session, when I trust it will be passed. Another measure has now twice failed, which I have warmly urged, the immediate settlement by donation of lands of such a body of militia in the territories of Orleans and Mississippi, as will be adequate to the defence of New Orleans. We are raising some regulars in addition to our present force, for garrisoning our seaports, and forming a nucleus for the militia to gather to. There will be no question who is to be my successor. Of this be assured, whatever may be said by newspapers

and private correspondences; local considerations have been silenced by those dictated by the continued difficulties of the times. I salute you with sincere and constant friendship and great respect.

TO ROBERT SMITH.

WASHINGTON, May 3, 1808.

I enclose you a petition from a woman (Mary Barnett) who complains that her son of thirteen years of age, is detained against her will in the naval military service. Having never before received an application of the kind in that department, I know not what are the rules there. But in the land service we have had many cases of enlistments of infants, and there the law is considered to be, and our practice in conformity, as follows: An infant is considered as incapable of binding himself by enlistment, and may at any time be reclaimed by a parent, guardian, next friend, or may quit of his own accord, on complaint from a parent, etc. We direct the officer to inquire into the fact of infancy, and if he believes him under age he discharges him. If he believes him of full age, we advise the parent, etc., that he may take out a Habeas Corpus, and have the fact tried before an impartial judge: if enlisted with the consent of the parent, etc., it must be by indentures as prescribed by law for an apprentice or servant, this being the only mode of obligation in which the law will compel *specific* execution. In case of a ver-

bal or a common written subscription of engagement, even with consent of the parent, *damages* only can be recovered for withdrawing from it. I presume the rules in the Navy Department must be the same, as we must conform ourselves to the law in all departments. I directed the woman to call on me again to-morrow. Will you be so good as to enable me to give her an answer? Affectionate salutations.

TO GOVERNOR DANIEL D. TOMPKINS.

WASHINGTON, May 4, 1808.

SIR,—I duly received your favor of April 18th, covering an act of the legislature of New York, appropriating $100,000 to aid and expedite the defence of the city and port of New York, and $20,000 to aid in, and contribute to, the defence of the northern and western frontiers, and expressing a desire to receive an opinion on the application of those sums.

In carrying into execution the provisions of Congress, at their last session, for fortifying our ports and harbors, we shall distribute the means put into our hands on a just view of the relative importance of the places, combined with their degree of exposure, and capability of defence, and in such way as to require a moderate permanent force of regulars, relying much, in case of sudden attack, on the aid of the militia. Among the objects of our care, New York stands foremost in the points of importance and exposure; and, if permitted, we shall provide

such defences for it as, in our opinion, will render it secure against attacks by sea. The particulars of what is proposed to be done can be made known to you by Colonel Williams; as it is probable these may not comprehend everything which the anxieties of the citizens might think of service in their defence, I suggest for your consideration, the idea of applying the fund appropriated to this object, by your legislature, to such supplementary provisions as in your judgment might be necessary to render ours adequate to fulfil the views and confidence of your citizens. Of this however, you are the best judge. But I cannot omit to urge that no time should be lost in deciding on so much of the plan proposed by the Secretary of War, as depends on a cession from the State authorities.

It appears to me that it would be well to have a post on the Saint Lawrence, as near our line as a commanding position could be found, that it might afford some cover for our most advanced inhabitants. But if a rupture takes place now, such a post would too soon lose all its value, to be worth building at this time. It is only in the event of a solid accommodation with Great Britain,and their retaining their present possessions, that it might become worthy of attention. I do not know that the $20,000 appropriated by the State of New York, "to aid in, and contribute to, the defence of the northern and western frontiers," could be better applied than as supplementary to our provisions in this quarter also.

We cannot, for instance, deliver out our arms to the militia, until called into the field. Yet it would be a great security had every militia man on these frontiers a good musket in his hands. However, here again your Excellency is the best judge, and I have hazarded these ideas as to the application of the appropriations, only on the wish you expressed that I would do it, and on my own desire to interchange ideas with frankness, and without reserve with those charged, in common with myself, with the public interests. I beg leave to tender you the assurances of my high esteem and respect.

TO THE PRINCE REGENT OF PORTUGAL.

WASHINGTON, May 5, 1808.

GREAT AND GOOD FRIEND,—Having learnt the safe arrival of your Royal Highness at the city of Rio Janeiro, I perform with pleasure the duty of offering you my sincere congratulations by Mr. Hill, a respected citizen of the United States, who is specially charged with the delivery of this letter.

I trust that this event will be as propitious to the prosperity of your faithful subjects as to the happiness of your Royal Highness, in which the United States of America have ever taken a lively interest. Inhabitants now of the same land, of that great continent which the genius of Columbus has given to the world, the United States feel sensibly that they stand in new and closer relations with your Royal

Highness, and that the motives which heretofore nourished the friendly relations which have so happily prevailed, have acquired increased strength on the transfer of your residence to their own shores. They see in prospect, a system of intercourse between the different regions of this hemisphere of which the peace and happiness of mankind may be the essential principle. To this principle your long-tried adherence, for the benefit of those you governed, in the midst of warring powers, is a pledge to the new world that its peace, its free and friendly intercourse, will be your chief concern. On the part of the United States I assure you, that these which have hitherto been their ruling objects, will be most particularly cultivated with your Royal Highness and your subjects at Brazil, and they hope that that country so favored by the gifts of nature, now advanced to a station under your immediate auspices, will find, in the interchange of mutual wants and supplies, the true aliment of an unchanging friendship with the United States of America.

I pray to God, great and good friend, that in your new abode you may enjoy health, happiness, and the affections of your people, and that He will always have you in His safe and holy keeping.

Done at Washington, etc.

TO THE GOVERNORS OF NEW ORLEANS, GEORGIA, SOUTH CAROLINA, MASSACHUSETTS AND NEW HAMPSHIRE.

WASHINGTON, May 6, 1808.

SIR,—The evasions of the preceding embargo laws went so far towards defeating their objects, and chiefly by vessels clearing out coast-wise, that Congress, by their act of April 25th, authorized the absolute detention of all vessels bound coast-wise with cargoes exciting suspicions of an intention to evade those laws. There being few towns on our seacoast which cannot be supplied with flour from their interior country, shipments of flour become generally suspicious and proper subjects of detention. Charleston is one of the few places on our seaboard which need supplies of flour by sea for its own consumption. That it may not suffer by the cautions we are obliged to use, I request of your Excellency, whenever you deem it necessary that your present or any future stock should be enlarged, to take the trouble of giving your certificate in favor of any merchant in whom you have confidence, directed to the collector of any port, usually exporting flour, from which he may choose to bring it, for any quantity which you may deem necessary for consumption beyond your interior supplies, enclosing to the Secretary of the Treasury at the same time a duplicate of the certificate as a check on the falsification of your signature. In this way we may secure a

supply of the real wants of our citizens, and at the same time prevent those wants from being made a cover for the crimes against their country which unprincipled adventurers are in the habit of committing. I trust, too, that your Excellency will find an apology for the trouble I propose to give you, in that desire which you must feel in common with all our worthy citizens, that inconveniences encountered cheerfully by them for the interests of their country, shall not be turned merely to the unlawful profits of the most worthless part of society. I salute your Excellency with assurances of my high respect and consideration.

TO ALBERT GALLATIN.

WASHINGTON, May 6, 1808.

In the outset of the business of detentions, I think it impossible to form precise rules. After a number of cases shall have arisen they may probably be thrown into groups and subjected to rules. The great leading object of the Legislature was, and ours in execution of it ought to be, to give complete effect to the embargo laws. They have bidden agriculture, commerce, navigation, to bow before that object, to be nothing when in competition with that. Finding all their endeavors at general rules to be evaded, they finally gave us the power of detention as the panacea, and I am clear we ought to use it freely that we may, by a fair experiment, know the power

of this great weapon, the embargo. Therefore, to propositions to carry flour into the Chesapeake, the Delaware, the Hudson, and other *exporting* places, we should say boldly it is not wanted there for consumption, and the carrying it there is too suspicious to be permitted. In consequence of the letters to the Governors of the flour-importing States, we may also say boldly that there being no application from the Governor is a proof it is not wanting in those States, and therefore must not be carried. As to shuffling of cotton, tobacco, flax seed, etc., from one port to another, it may be some trifling advantage to individuals to change their property out of one form into another, but it is not of a farthing's benefit to the nation at large, and risks their great object in the embargo. The want of these at a particular place should be very notorious to the collector and others, to take off suspicion of illicit intentions. Dry goods of Europe, coal, bricks, etc., are articles entirely without suspicion. I hazard these things for your consideration, and I send you a copy of the letter to the Governors, which may be communicated in form to the collectors to strengthen the ground of suspicion. You will be so good as to decide these cases yourself, without forwarding them to me. Whenever you are clear either way, so decide; where you are doubtful, consider me as voting for detention, being satisfied that individuals ought to yield their private interests to this great public object.

TO THE SECRETARY OF WAR
(HENRY DEARBORN).

MONTICELLO, May 12, 1808.

DEAR SIR,—My journey and two days' detention on the road by high waters, gave me time to reflect on our canal at New Orleans, on which I will therefore hazard some thoughts.

I think it has been said that the Mississippi, at low water, is many feet lower opposite New Orleans than Lake Pontchartrain. But the fact is impossible, being in contradiction to the laws of nature; two beds of dead water connected with the same ocean, in vicinity to one another, must each be in the level of that ocean, and consequently of one another. Although Pontchartrain receives the Amite and some other small streams, they probably do little more than supply its evaporation. No doubt, however, that the lake must receive the small ebb and flow of the sea. The Mississippi, on the contrary, even at its lowest tide, always flows downwards to and beyond its mouth; it must, then, at New Orleans, be one, two, or three feet higher than the sea, and consequently than Pontchartrain.

If a simple canal were cut from that of Carondelet to the Mississippi without lock or gate, there would be two risks. 1. That in high water of the Mississippi the current would be too strong for a gunboat to ascend or descend. This might perhaps be remedied by the draught of horses. 2. The force of

such a current, (unless the whole canal were lined with brick or masonry,) might convert the canal into a bay, one of an unknown size, and involve New Orleans in it.

On the whole, I suspect our plan is pretty obvious: suppose we want six feet water; make a canal of that depth below the lowest ebb of Pontchartrain from the lake to where the lock is to be placed,— then bring a canal from the river to the lock, the depth of which shall be six feet below the lowest water of the Mississippi ever known; at the back there will be a descent, suppose of one, two or three feet, or any other number. The lock remedies that. If the lock were near the lake it would lessen the work by giving nearly the whole length to the shallowest canal, and it would probably be in a more tranquil and safe situation. But it might be inconvenient, perhaps unsafe, to the sides of the Mississippi canal, to permit such a depth of water as would be in it, through its whole length, at the time of the high water of that river. Of the best position, therefore, of the lock, the superintendent must judge on the spot, as he must indeed of the correctness of all the preceding conjectures, formed without a knowledge of the localities. They are hazarded merely to give us some fixed notions of the nature of the enterprise, and are submitted to your consideration. I salute you with affectionate respect.

TO THE SECRETARY OF THE TREASURY (ALBERT GALLATIN).

MONTICELLO, May 15, 1808.

DEAR SIR,—I received yesterday the enclosed letter from a Mr. Wood, of New York. I should suppose the fruits of Europe stood nearly on the ground of the dry goods of Europe, not tempting evasion by exorbitant prices, nor defeating the object of the embargo in any important degree, even if a deviation should take place. I send it to yourself for decision and answer, in order that there may be an uniformity in the decisions. I am really glad to find the collector so cautious, and hope others will be equally so, and I place immense value in the experiment being fully made, how far an embargo may be an effectual weapon in future as well as on this occasion. I salute you with affection and respect.

P. S. Will you send me sixteen copies of my letters to the Governors of Orleans, Georgia, etc., which I think you proposed to have printed? I will enclose it to the other governors with explanations.

TO THE SECRETARY OF THE TREASURY (ALBERT GALLATIN).

MONTICELLO, May 17, 1808.

DEAR SIR,—Yours of the 16th came to hand last night. As the lead mines do not press in point of

time, I would rather they should be the subject of a conversation on my return. It is not merely a question about the terms we have to consider, but the expediency of working them. As to the Savannah revenue cutter, I approve of the proposition in your letter, or whatever else you may think proper to be done. The regular traders to New Orleans may be admitted to go as usual, the characters of the owners being known to be safe, and provisions and lumber being excepted. Cotton, perhaps, may be permitted to be brought back on the consideration that its price in Europe is not likely to be such as that the adventurers may afford to pay all the forfeitures. I presume Mr. Price's application, which I enclose you, will fall under this general permission. Will you be so good as to have the proper answer given him? If we change our rule of tonnage for Mr. Murray's purpose, the next application will be for such a rate of tonnage as will allow them to bring back their property in the form of hay. General Dearborn has occasion to send a vessel to Passamaquoddy with cannon for the batteries, and perhaps provision for the troops, and has asked me to send him a blank license. But as these licenses are not signed by me, I refer him to you for the necessary arrangements.

I shall sincerely lament Cuba's falling into any hands but those of its present owners. Spanish America is at present in the best hands for us, and "*Chi sta bene, non si muove*" should be our motto. I salute you with affection.

TO THE SECRETARY OF STATE
(JAMES MADISON).

MONTICELLO, May 19, 1808.

DEAR SIR,—I now return you the papers reserved from the last post. Our regular answer to Mr. Livingston may well be, that the Attorney General having given an official opinion that the right to the batture is in the United States, and the matter being now referred to Congress, it is our duty to keep the grounds clear of any adversary possession, until the Legislature shall decide on it. I have carefully read Mr. Livingston's printed memoir. He has shaken my opinion as to the line within the road having been intended as a line of *boundary* instead of its being a line of *admeasurement* only. But he establishes another fact by the testimony of Fendeau, very fatal to his claim; to wit, that the high-water mark, "*batture, ou viennent battre les eaux lorsqu elles sont dans leurs plus grandes croissances*," is the universal boundary of private grants on the river.

Your observations on his allegations that Gravier's grant must be under the Spanish law, because after the cession of the province by France to Spain, though before delivery of possession, are conclusive. To which may be added, that Louis XIV. having established the Constumes de Paris as the law of Louisiana, this was not changed by the mere act of transfer; on the contrary, the laws of France continued and

continues to be the law of the land, except where specially altered by some subsequent edict of Spain or act of Congress. He has not in the least shaken the doctrine that the bed of the river, and all the atterrissements or banks which arise on it by the depositions of the river, are the property of the King by a peculiarity in the law of France; so that nothing quoted from those of Spain or the Roman law is of authority on that point. Affectionate salutations.

TO THE SECRETARY OF THE TREASURY (ALBERT GALLATIN).

MONTICELLO, May 20, 1808.

DEAR SIR,—I return you the papers of Fanning, Lesdernier, and Sacket. With respect to Fanning's case, the true key for the construction of everything doubtful in a law, is the intention of the law-makers. This is most safely gathered from the words, but may be sought also in extraneous circumstances, provided they do not contradict the express words of the law. We certainly know that the Legislature meant that vessels might go out to bring home property, but not to commence a new career of commerce. The bringing home the property being the main object, if it be in an impracticable form, it expects the intention of the law to let it be commuted into a practicable form; and so from an inconvenient to a convenient form. To prevent any abuse of this accommodation, by entering into a new operation

of commerce with it, the discretionary permission is left to the President. I think the conversion of the sandal wood into a more portable form in this case, is fulfilling the object of the law, and that it is immaterial whether that be done in the Friendly Islands, where the wood now is, or wherever by the way it can be better done. Consequently, that permission may be granted. I hope you will spare no pains or expense to bring the rascals of Passamaquoddy to justice, and if more force be necessary, agree on the subject with General Dearborn or Mr. Smith, as to any aid they can spare, and let it go without waiting to consult me. Let the successor to Sacket also be commissioned without waiting for my opinion, which will be yours. Should a pardon be granted to Russell, I generally but not invariably require a recommendation from the judges. I shall be ready to consider any propositions you may make for mitigating the embargo law of April 25th, but so only as not to defeat the object of the law. I shall be ready to make a distinction between provisions, timber, naval stores, and such things, as by the exaggerated prices they have got to in foreign markets, would enable infactors to pay all forfeitures and still make great profit, and cotton and such other articles as have not got to such prices. I am for going substantially to the object of the law, and no further; perhaps a little more earnestly because it is the first expedient, and it is of great importance to know its full effect.

I salute you with constant affection and respect.

TO THE SECRETARY OF WAR
(HENRY DEARBORN).

MONTICELLO, May 20, 1808.

DEAR SIR,—Yours of the 14th came to hand yesterday. I do not see that we can avoid agreeing to estimates made by worthy men of our own choice for the sites of fortifications, or that we could leave an important place undefended because too much is asked for the site. And therefore we must pay what the sites at Boston have been valued at. At the same time I do not know on what principles of reasoning it is that good men think the public ought to pay more for a thing than they would themselves if they wanted it. I salute you with affection and respect.

TO GENERAL BENJAMIN SMITH.

MONTICELLO, May 20, 1808.

SIR,—I return you my thanks for the communication by your letter of April 19th, of the resolutions of the Grand Jury of Brunswick, approving of the embargo. Could the alternative of war or the embargo have been presented to the whole nation, as it occurred to their representatives, there could have been but the one opinion that it was better to take the chance of one year by the embargo, within which the orders and decrees producing it may be repealed, or peace take place in Europe, which may

secure peace to us. How long the continuance of the embargo may be preferable to war, is a question we shall have to meet, if the decrees and orders and war continue. I am sorry that in some places, chiefly on our northern frontier, a disposition even to oppose the law by force has been manifested. In no country on earth is this so impracticable as in one where every man feels a vital interest in maintaining the authority of the laws, and instantly engages in it as in his own personal cause. Accordingly, we have experienced this spontaneous aid of our good citizens in the neighborhoods where there has been occasion, as I am persuaded we ever shall on such occasions. Through the body of our country generally our citizens appear heartily to approve and support the embargo. I am also to thank you for the communication of the Wilmington proceedings, and I add my salutations and assurances of great respect.

TO THE SECRETARY OF STATE
(JAMES MADISON).

MONTICELLO, May 24, 1808.

DEAR SIR,— * * * * * * *

What has been already said on the subject of Casa Calvo, Yrujo, Miranda, is sufficient, and that these should be seriously brought up again argues extreme weakness in Cavallos, or a plan to keep things unsettled with us. But I think it would not be amiss to take him down from his high airs as to the right of

the sovereign to hinder the upper inhabitants from the use of the Mobile, by observing, 1st, that we claim to be the sovereign, although we give time for discussion. But 2d, that the upper inhabitants of a navigable water have always a right of innocent passage along it. I think Cavallos will not probably be the minister when the letter arrives at Madrid, and that an eye to that circumstance may perhaps have some proper influence on the style of the letter, in which, if meant for himself, his hyperbolic airs might merit less respect. I think too that the truth as to Pike's mission might be so simply stated as to need no argument to show that (even during the suspension of our claims to the eastern border of the Rio Norte) his getting on it was mere error, which ought to have called for the setting him right, instead of forcing him through the interior country. [Sullivan's letter.] His view of things for some time past has been entirely distempered.

Cathcart's, Ridgeley's, Navour's, Degen's, Appleton's, Lee's, and Baker's letters, are all returned. I salute you with great affection and respect.

TO GENERAL HENRY DEARBORN.

MONTICELLO, May 25, 1808.

DEAR SIR,—There is a subject on which I wished to speak with you before I left Washington; but an apt occasion did not occur. It is that of your continuance in office. Perhaps it is as well to submit

my thoughts to you by letter. The present summer is too important in point of preparation, to leave your department unfilled, for any time, as I once thought might be done; and it would be with extreme reluctance that, so near the time of my own retirement, I should proceed to name any high officer, especially one who must be of the intimate councils of my successor, and who ought of course to be in his unreserved confidence. I think too it would make an honorable close of your term as well as mine, to leave our country in a state of substantial defence, which we found quite unprepared for it. Indeed, it would for me be a joyful annunciation to the next meeting of Congress, that the operations of defence are all complete. I know that New York must be an exception; but perhaps even that may be closed before the 4th of March, when you and I might both make our bow with approbation and satisfaction. Nor should I suppose that under present circumstances, anything interesting in your future office could make it important for you to repair to its immediate occupation. In February my successor will be declared, and may then, without reserve, say whom he would wish me to nominate to the Senate in your place. I submit these circumstances to your consideration, and wishing in all things to consult your interests, your fame and feelings, it will give me sincere joy to learn that you will "watch with me to the end." I salute you with great affection and respect.

TO MR. LEIPER.

MONTICELLO, May 25, 1808.

DEAR SIR,—I received your favor of April 22d a little before I was to leave Washington, much engaged with despatching the business rendered necessary by the acts of Congress just risen, and preparatory to a short visit to this place. Here again I have been engrossed with some attentions to my own affairs, after a long absence, added to the public business which presses on me here as at Washington. I mention these things to apologize for the long delay of an answer to the address of the Democratic republicans of Philadelphia, enclosed in your letter, and which has remained longer unanswered than I wished. I have been happy in my journey through the country to this place, to find the people unanimous in their preference of the embargo to war, and the great sacrifice they make, rendered a cheerful one from a sense of its necessity.

Whether the pressure on the throne from the suffering people of England, and of their Islands, the conviction of the dishonorable as well as dishonest character of their orders of council, the strength of their parliamentary opposition, and remarkable weakness of the defence of their ministry, will produce a repeal of these orders and cessation of our embargo, is yet to be seen. To nobody will a repeal be so welcome as to myself. Give us peace till our revenues are liberated from debt, and then, if war be necessary,

it can be carried on without a new tax or loan, and during peace we may chequer our whole country with canals, roads, etc. This is the object to which all our endeavors should be directed. I salute you with great friendship and respect.

TO THE SECRETARY OF THE TREASURY (ALBERT GALLATIN).

MONTICELLO, May 27, 1808.

DEAR SIR,—I received yesterday yours of the 23d, and now return you Woolsey's and Astor's letters. I send you one also which I have received from a Mr. Thorne, on the evasions of the embargo on Lake Champlain. The conduct of some of our officers there, and of some excellent citizens, has been very meritorious, and I will thank you to express any degree of approbation you think proper, in my name, for Captain Mayo. Woolsey appears also to deserve assurances of approbation. If you think Thorne's suggestion of some militia at Point au Fer necessary and proper, be so good as to consult General Dearborn, who will give any order you and he approve. With respect to the coasting trade, my wish is only to carry into full effect the intentions of the embargo laws. I do not wish a single citizen in any of the States to be deprived of a meal of bread, but I set down the exercise of commerce, merely for profit, as nothing when it carries with it the danger of defeating the objects of the embargo. I have more faith,

too, in the Governors. I cannot think that any one of them would wink at abuses of that law. Still, I like your circular of the 20th, and the idea there brought forward of confining the shipment to so small a proportion of the bond as may correspond with the exaggeration of price and foreign markets, and thus restrain the adventurer from gaining more than he would lose by dishonesty. Flour, by the latest accounts, I have observed, sold at about eight times its cost here, while the legal penalties are but about three prices—by restraining them to an eighth they will be balanced. But as prices rise must not our rules be varied? Had the practicability of this mode of restraint occurred before the recurrence to the Governors, I should have preferred it, because it is free from the objection of favoritism to which the Governors will be exposed, and if you find it work well in practice, we may find means to have the other course discontinued. Our course should be to sacrifice everything to secure the effect of the law, and nothing beyond that.

I enclose you an application of Neilson & Son, to which you will please to have given whatever answer is conformable to general rules. The petition of Gardner and others, masters of the Rhode Island packet ships, which I enclose you, does not specify the particular act required from us for their relief. If it be to declare that the open sea in front of their coast is a bay or a river, the matter of fact, as well as the law, renders that impossible. I really think

it desirable to relieve their case, in any way which is lawful, because it is one, which though embraced by the words of the law, is not within its object. You mention that a principal method of evading the embargo is by loading secretly and going off without clearance. The naval department must aid us against this. As I shall leave this for Washington in about ten or twelve days, I now desire the post-office there to send no letters to this place after receiving this notice. All further matters relative to the embargo will therefore be answered verbally as soon as they could by letter. I salute you with great affection and respect.

TO JAMES BOWDOIN.

MONTICELLO, May 29, 1808.

DEAR SIR,—I received the favor of your letter, written soon after your arrival, a little before I left Washington, and during a press of business preparatory to my departure on a short visit to this place; this has prevented my earlier congratulations to you on your safe return to your own country. There, judging from my own experience, you will enjoy much more of the tranquil happiness of life, than is to be found in the noisy scenes of the great cities of Europe. I am also aware that you had at Paris additional causes of disquietude; these seem inseparable from public life, and, indeed, are the greatest discouragements to entering into or continuing in it.

Perhaps, however, they sweeten the hour of retirement, and secure us from all dangers of regret. On the subject of that disquietude, it is proper for me only to say that, however unfortunate the incident, I found in it no cause of dissatisfaction with yourself, nor of lessening the esteem I entertain for your virtues and talents; and, had it not been disagreeable to yourself, I should have been well pleased that you could have proceeded on your original destination.

While I thank you for the several letters received from you during your absence, I have to regret the miscarriage of some of those I wrote you. Not having my papers here, I cannot cite their dates by memory; but they shall be the subject of another letter on my return to Washington.

You find us on your return in a crisis of great difficulty. An embargo had, by the course of events, become the only peaceable card we had to play. Should neither peace, nor a revocation of the decrees and orders in Europe take place, the day cannot be distant when that will cease to be preferable to open hostility. Nothing just or temperate has been omitted on our part, to retard or to avoid this unprofitable alternative. Our situation will be the more singular, as we may have to choose between two enemies, who have both furnished cause of war. With one of them we could never come into contact; with the other great injuries may be mutually inflicted and received. Let us still hope to avoid, while we prepare to meet them.

Hoping you will find our cloudless skies and benign climate more favorable to your health than those of Europe, I pray you to accept my friendly salutations, and assurances of great esteem and consideration.

TO THE SECRETARY OF STATE (JAMES MADISON).

MONTICELLO, May 31, 1808.

DEAR SIR,—I return you all the papers received from you by yesterday's mail, except Mr. Burnley's, which I shall send by the Secretary of War. Although all the appointments below field-officers are made, it is possible some may decline, and open a way for new competition. I have observed that Turreau's letters have for some time past changed their style unfavorably. I believe this is the first occasion he has had to complain of French deserters being enlisted by us, and if so, the tone of his application is improper. The answer to him, however, is obvious as to our laws and instructions, and the *discharge*, not *delivery*, of the men, for which purpose I presume you will write a line to the Secretary of War. Woodward's scruples are perplexing. And they are unfounded because, on his own principle, if a law requires an oath to be administered, and does not say by whom, he admits it may be any judge; if, therefore, it names a person no longer in existence, it is as if it named nobody. On this construction all the territories have practised, and all the authorities of the

national government,—even the Legislature. It was wrong on a second ground; no judge ever refusing to administer an oath in any useful case, although he may not consider it as strictly judicial. If it may be valid or useful, he administers "*ut valeat quantum valer potest.*" But what is to be done? Would it not be well for you to send the case to the Attorney General, and get him to enclose his opinion to Governor Hull, who will use it with Judge Witherall, or some territorial judge or justice?

With the quarrel of Judge Vandeberg and his bar we cannot intermeddle. Mercer's querulous letter is an unreasonable one. How could his offer of service be acted on, but by putting it in the hands of those who were to act on all others?

I shall to-day direct the post-rider not to continue his route to this place after to-day, and to take your orders as to the time you would wish him to continue coming to you. I salute you with affectionate esteem and respect.

TO THE SECRETARY OF THE NAVY (JACOB CROWNINSHIELD).

WASHINGTON, June 15, 1808.

SIR,—I have considered the letter of the director of the mint, stating the ease with which the errors of Commodore Truxton's medal may be corrected on the medal itself, and the unpracticability of doing it on the die. In my former letter to you on this subject,

I observed that to make a new die would be a serious thing, requiring consideration. In fact, the first die having been made by authority of the Legislature, the medal struck, accepted, and acquiesced in for so many years, the powers given by that law are executed and at an end, and a second law would be requisite to make a second die or medal. But I presume it will be quite as agreeable to Commodore Truxton to have his medal corrected in one way as another, if done equally well, and it certainly may be as well or better done by the graver, and with more delicate traits. I remember it was the opinion of Doctor Franklin that where only one or a few medals were to be made, it was better to have them engraved.

The medal being corrected, the die becomes immaterial. That has never been delivered to the party, the medal itself being the only thing voted to him. I say this on certain grounds, because I think this and Preble's are the only medals given by the United States which have not been made under my immediate direction. The dies of all those given by the old Congress, and made at Paris, remain to this day deposited with our bankers at Paris. That of General Lee, made in Philadelphia, was retained in the mint. I mention this not as of consequence whether the die be given or retained, but to show that there can be no claim of the party to it, or consequently to its correction. I think, therefore, the medal itself should be corrected by Mr. Reich; that this is as

far as we can stretch our authority, and I hope it will be satisfactory to the Commodore. I salute you with constant affection and respect.

TO SHELTON GILLIAM, ESQ.

WASHINGTON, June 19, 1808.

SIR,—Your favor of the 4th was received on my return to this place, and the proposition of your correspondent on the subject of fortification was referred to the Secretary of War, where office and qualifications make him the proper judge of it. I enclose you his answer. The same prudence which in private life would forbid our paying our own money for unexplained projects, forbids it in the dispensation of the public moneys. It is not enough that an individual and an unknown one says and even thinks he has made a discovery of the magnitude announced on this occasion. Not only explanation, but the actual experiment must be required before we can cease to doubt whether the inventor is not deceived by some false or imperfect view of his subject. Still your patriotic attention to bring such a proposition under our notice, that it might be applied to the public good, if susceptible of it, is praiseworthy, and I return you thanks for it with the assurances of my esteem and respect.

TO CHRISTOPHER COLLES.

WASHINGTON, June 19, 1808.

SIR,—I thank you for the pamphlet containing your ideas on the subject of canals constructed of wood; but it is not in my power to give any definite opinion of its national importance. If there exists a cement which used as a lining for cisterns and aqueducts, renders them impermeable to water, (and it is affirmed that in France they are in the possession and use of such an one,) then it becomes the common question whether constructions of wood, brick, or rough stone are cheapest in the end? A question on which every man possesses materials for forming his judgment. I suspect it is the supposed necessity of using hewn stone in works of this kind which has had the greatest effect in discouraging their being undertaken. I tender you my salutations and respects.

TO JAMES PEMBERTON.

WASHINGTON, June 21, 1808.

SIR,—Your favor of May 30th was delivered me on my return to this place, and I now enclose the prospectus of Clarkson's history with my subscription to it. I have perused with great satisfaction the Report of the Committee for the African institution. The sentiments it breathes are worthy of the eminent characters who compose the institution,

as are also the generous cares they propose to undertake. I wish they may begin their work at the right end. Our experience with the Indians has proved that letters are not the first, but the last step in the progression from barbarism to civilization. Our Indian neighbors will occupy all the attentions we may spare, towards the improvement of their condition. The four great Southern tribes are advancing hopefully. The foremost are the Cherokees, the upper settlements of whom have made to me a formal application to be received into the Union as citizens of the United States, and to be governed by our laws. If we can form for them a simple and acceptable plan of advancing by degrees to a maturity for receiving our laws, the example will have a powerful effect towards stimulating the other tribes in the same progression, and will cheer the gloomy views which have overspread their minds as to their own future history. I salute you with friendship and great respect.

TO WALTER FRANKLIN.

WASHINGTON, June 22, 1808.

Thomas Jefferson returns his thanks to Mr. Franklin for the address to the Society of Friends which he was so kind as to send him. The appeal both to facts and principles is strong, and their consistency will require an able advocate. Conscious that the present administration has been essentially pacific,

and that in all questions of importance it has been governed by the identical principles professed by that Society, it has been quite at a loss to conjecture the unknown cause of the opposition of the greater part, and bare neutrality of the rest. The hope, however, that prejudices would at length give way to facts, has never been entirely extinguished, and still may be realized in favor of another administration.

TO DOCTOR THOMAS LEIB.

WASHINGTON, June 23, 1808.

SIR,—I have duly received your favor covering a copy of the talk to the Tammany society, for which I thank you, and particularly for the favorable sentiments expressed towards myself. Certainly, nothing will so much sweeten the tranquillity and comfort of retirement, as the knowledge that I carry with me the good will and approbation of my republican fellow-citizens, and especially of the individuals in unison with whom I have so long acted. With respect to the federalists, I believe we think alike; for when speaking of them, we never mean to include a worthy portion of our fellow-citizens, who consider themselves as in duty bound to support the constituted authorities of every branch, and to reserve their opposition to the period of election. These having acquired the appellation of federalists, while a federal administration was in place, have not cared

about throwing off their name, but adhering to their principle, are the supporters of the present order of things. The other branch of the federalists, those who are so in principle as well as in name, disapprove of the republican principles and features of our Constitution, and would, I believe, welcome any public calamity (war with England excepted) which might lessen the confidence of our country in those principles and forms. I have generally considered them rather as subjects for a mad-house. But they are now playing a game of the most mischievous tendency, without perhaps being themselves aware of it. They are endeavoring to convince England that we suffer more by the embargo than they do, and if they will but hold out awhile, we must abandon it. It is true, the time will come when we must abandon it. But if this is before the repeal of the orders of council, we must abandon it only for a state of war. The day is not distant, when that will be preferable to a longer continuance of the embargo. But we can never remove that, and let our vessels go out and be taken under these orders, without making reprisal. Yet this is the very state of things which these federal monarchists are endeavoring to bring about; and in this it is but too possible they may succeed. But the fact is, that if we have war with England, it will be solely produced by their manœuvres. I think that in two or three months we shall know what will be the issue.

I salute you with esteem and respect.

TO GENERAL JAMES WILKINSON.

WASHINGTON, June 24, 1808.

Thomas Jefferson presents his compliments to General Wilkinson, and in answer to his letters of yesterday observes that during the course of the Burr conspiracy, the voluminous communications he received were generally read but once and then committed to the Attorney General, and were never returned to him. It is not in his power, therefore, to say that General Wilkinson did or did not denounce eminent persons to him, and still less who they were. It was unavoidable that he should from time to time mention persons known or supposed to be accomplices of Burr, and it is recollected that some of these suspicions were corrected afterwards on better information. Whether the undefined term *denunciation* goes to cases of this kind or not Thomas Jefferson does not know, nor could he now name from recollection the persons suspected at different times. He salutes General Wilkinson respectfully.

TO COLONEL DANIEL C. BRENT.

WASHINGTON, June 24, 1808.

DEAR SIR,—The information given to me by Mrs. Paradise of letters to me from her grandsons, is without foundation. I have not for many years heard a tittle respecting the family at Venice. Should any information respecting them come to me I will certainly communicate it to Mrs. Paradise.

That the embargo is approved by the body of republicans through the Union, cannot be doubted. It is equally known that a great proportion of the federalists approve of it; but as they think it an engine which may be used advantageously against the republican system, they countenance the clamors against it. I salute you with great friendship and respect

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TO ALBERT GALLATIN.

WASHINGTON, July 4, 1808.

General Turreau's application for two vessels to carry French subjects to France, must, I think, be granted, because under present circumstances we ought not on slight grounds to dissatisfy either belligerent. The vessels may be back before winter, and their only danger will be of stoppage by the English, who, however, have no right but to take out the French subjects.

At the same time, I think it would be well to say to General Turreau that we reluctantly let our seamen be exposed to capture, or perhaps to a voluntary engagement with one of the belligerents: that we rely, therefore, on his so proportioning the vessels to the number of passengers as merely to give them a reasonable accommodation. It would be well, too, that he should inform us after their departure, of the number of persons sent in them.

Affectionate salutes.

TO HIS EXCELLENCY GOVERNOR W. C. C. CLAIBORNE.

WASHINGTON, July 9, 1808.

SIR,—I have lately seen a printed report of the committee of the Canal company of New Orleans, stating the progress and prospects of their enterprise. In this the United States feel a strong interest, inasmuch as it will so much facilitate the passage of our armed vessels out of the one water into the other. For this purpose, however, there must be at least five and a half feet water through the whole line of communication from the lake to the river. In some conversations with Mr. Clark on this subject the winter before last, there was a mutual understanding that the company would complete the canal, and the United States would make the locks. This we are still disposed to do; and so anxious are we to get this means of defence completed, that to hasten it we would contribute any other encouragement within the limits of our authority which might produce this effect. If, for instance, the completion of it within one year could be insured by our contributing such a sum as one or two thousand dollars a month to the amount of twenty thousand dollars, in the whole, we might do it, requiring as a consideration for our justification that the vessels of the United States should always pass toll-free. The object of this letter is to sound the principal members, without letting them know you do it by instruction from us, and to find out what moderate and reasonable aid on our part

would be necessary to get a speedy conclusion of the work, and in what form that aid would be most useful, and to be so good as to communicate it to me as soon as the knowledge is obtained by yourself. I should be glad to learn, at the same time, what is the perpendicular height of the top of the levee above the surface of the water in the Mississippi in its lowest state. Five and a half feet below this would be indispensable for our purposes. I salute you with great esteem and respect.

TO THE SECRETARY OF THE TREASURY (ALBERT GALLATIN).

WASHINGTON, July 12, 1808.

1. (Peyton Skipwigh's letter.) I approve of the proposition to authorize the collector of St. Mary's or Savannah to permit vessels to bring to St. Mary's such supplies as in his opinion are really wanted for the individuals applying, and where he has entire confidence no fraud will be committed. But the vessels should be reasonably proportioned to the cargo. Should this be extended to Passamaquoddy?

2. (The cases of detention by Gelston and Turner.) The Legislature finding that no general rules could be formed which would not be evaded by avarice and roguery, finally authorized the collector, if there were still circumstances of suspicion, to detain the vessel. Wherever, therefore, the collector is impressed with suspicion, from a view of all circumstances, which

are often indescribable, I think it proper to confirm his detention. It would be only where, from his own showing, or other good information, prejudice or false views biassed his judgment, that I should be disposed to countermand his detention.

3. The declaration of the bakers of New York, that their citizens will be dissatisfied, under the present circumstances of their country, to eat bread of the flour of their own State, is equally a libel on the produce and citizens of the State. The citizens have certainly a right to speak for themselves on such occasions, and when they do we shall be able to judge whether their numbers or characters are such as to be entitled to a sacrifice of the embargo law. If this prevails, the next application will be for vessels to go to New York for the pippins of that State, because they are higher flavored than the same species of apples growing in other States.

4. We should by all means appoint a new collector at Sackett's Harbor. If the Governor knows nobody there who can be depended on, can he not find some faithful man in the city or country who would consider the emoluments acceptable, such as they are?

5. The seizure by Mr. Illsley not being under the embargo law, will take its course. With respect to the aid of gunboats, desired by him and Mr. Holmes of Sunbury, or any military aid, that can always be settled directly between Mr. Gallatin and the Secretaries of the Navy or War. Both those gentlemen know our extreme anxiety to give a full effect to the

important experiment of the embargo, at any expense within the bounds of reason, and will, on the application of Mr. Gallatin, yield the aid of their departments without waiting the delay of consulting me.

I have gone a little into the grounds of these opinions, in order that there being a mutual understanding on these subjects, Mr. Gallatin during the time of our separation may decide on the cases occurring, without the delay of consulting me at such a distance. My principle is that the conveniences of our citizens shall yield reasonably, and their taste greatly to the importance of giving the present experiment so fair a trial that on future occasions our legislators may know with certainty how far they may count on it as an engine for national purposes.

TO MONSIEUR DE LA CEPEDE.

WASHINGTON, July 14, 1808.

SIR,—If my recollection does not deceive me, the collection of the remains of the animal incognitum of the Ohio (sometimes called mammoth), possessed by the Cabinet of Natural History at Paris, is not very copious. Under this impression, and presuming that this Cabinet is allied to the National Institute, to which I am desirous of rendering some service, I have lately availed myself of an opportunity of collecting some of those remains. General Clarke (the companion of Governor Lewis in his expedition to the Pacific Ocean) being, on a late journey, to

pass by the Big-bone Lick of the Ohio, was kind enough to undertake to employ for me a number of laborers, and to direct their operations in digging for these bones at this important deposit of them. The result of these researches will appear in the enclosed catalogue of specimens which I am now able to place at the disposal of the National Institute. An aviso being to leave this place for some port of France on public service, I deliver the packages to Captain Haley, to be deposited with the Consul of the United States, at whatever port he may land. They are addressed to Mr. Warden of our legation at Paris, for the National Institute, and he will have the honor of delivering them. To these I have added the horns of an animal called by the natives the Mountain Ram, resembling the sheep by his head, but more nearly the deer in his other parts; as also the skin of another animal, resembling the sheep by his fleece but the goat in his other parts. This is called by the natives the Fleecy Goat, or in the style of the natural historian, the Pokotragos. I suspect it to be nearly related to the Pacos, and were we to group the fleecy animals together, it would stand perhaps with the Vigogne, Pacos, and Sheep. The Mountain Ram was found in abundance by Messrs. Lewis and Clarke on their western tour, and was frequently an article of food for their party, and esteemed more delicate than the deer. The Fleecy Goat they did not see, but procured two skins from the Indians, of which this is one. Their description

will be given in the work of Governor Lewis, the journal and geographical part of which may be soon expected from the press; but the parts relating to the plants and animals observed in his tour, will be delayed by the engravings. In the meantime, the plants of which he brought seeds, have been very successfully raised in the botanical garden of Mr. Hamilton of the Woodlands, and by Mr. McMahon, a gardener of Philadelphia; and on the whole, it is with pleasure I can assure you that the addition to our knowledge in every department, resulting from this tour of Messrs. Lewis and Clarke, has entirely fulfilled my expectations in setting it on foot, and that the world will find that those travellers have well earned its favor. I will take care that the Institute as well as yourself shall receive Governor Lewis's work as it appears.

It is with pleasure I embrace this occasion of returning you my thanks for the favor of your very valuable works, *sur les poissons et les cetacées*, which you were so kind as to send me through Mr. Livingston and General Turreau, and which I find entirely worthy of your high reputation in the literary world. That I have not sooner made this acknowledgment has not proceeded from any want of respect and attachment to yourself, or a just value of your estimable present, but from the strong and incessant calls of duty to other objects. The candor of your character gives me confidence of your indulgence on this head, and I assure you with truth that no circum-

stances are more welcome to me than those which give me the occasion of recalling myself to your recollection, and of renewing to you the assurances of sincere personal attachment, and of great respect and consideration

Contents of the large square box

A fibia.

A radius.

Two ribs belonging to the upper part of the thorax.

Two ribs from lower part of the thorax.

One entire vertebra.

Two spinous processes of the vertebra broken from the bodies.

Dentes molares, which appear to have belonged to the full-grown animal.

A portion of the under-jaw of a young animal with two molar teeth in it.

These teeth appear to have belonged to a first set, as they are small, and the posterior has but three grinding ridges, instead of five, the common number in adult teeth of the lower jaw.

Another portion of the under-jaw, including the symphisis, or chin. In this portion the teeth of one side are every way complete; to wit, the posterior has five transverse ridges, and the anterior three.

A fragment of the upper-jaw with one molar tooth much worn.

Molar teeth which we suppose to be like those of the mammoth or elephant of Siberia. They are

essentially different from those of the mammoth or elephant of this country, and although similar in some respects to the teeth of the Asiatic elephant, they agree more completely with the description of the teeth found in Siberia in the arrangement and size of the transverse lamina of enamel. This idea, however, is not derived from actual comparison of the different teeth with each other, for we have no specimens of Siberian teeth in this country; but from inferences deduced from the various accounts and drawings of these teeth to be found in books. A few of these teeth have been found in several places where the bones of the American animal have existed.

An astragalus.

An os calcis.

Os naviculare.

In the large box in which the preceding bones are, is a small one containing a promiscuous mass of small bones, chiefly of the feet.

In the large irregular-shaped box, a tusk of large size. The spiral twist in all the specimens of these tusks which we have seen, was remarked so long ago as the time of Breyneus, in his description of the tusks of the Siberian mammoth in the Philosophical Transactions, if that paper is rightly recollected, for the book is not here to be turned to at present. Many fragments of tusks have been sent from the Ohio, generally resembling portions of such tusks as are brought to us in the course of commerce. But of these spiral tusks, in a tolerable complete state, we

have had only four. One is found near the head of the north branch of the Susquehanna. A second possessed by Mr. Peale, was found with the skeleton, near the Hudson. A third is at Monticello, found with the bones of this collection at the Big-bone Lick of Ohio, and the fourth is that now sent for the Institute, found at the same place and larger than that at Monticello.

The smallest box contains the horns of the mountain ram, and skin of the fleecy goat.

TO MONSIEUR SYLVESTRE.

WASHINGTON, July 15, 1808.

SIR,—I had received from you on a former occasion the four first volumes of the Memoirs of the Agricultural Society of the Seine, and since that, your letter of September 19th, with the 6th, 7th, 8th, and 9th volumes, being for the years 1804, '5, '6, with some separate memoirs. These I have read with great avidity and satisfaction, and now return you my thanks for them. But I owe particular acknowledgments for the valuable present of the Théâtre de Serres, which I consider as a prodigy for the age in which it was composed, and shows an advancement in the science of agriculture which I had never suspected to have belonged to that time. Brought down to the present day by the very valuable notes added, it is really such a treasure of agricultural knowledge, as has not before been offered to the world in a single work.

It is not merely for myself, but for my country, that I must do homage to the philanthropy of the Society, which has dictated their destination for me of their newly improved plough. I shall certainly so use it as to answer their liberal views, by making the opportunities of profiting by it as general as possible.

I have just received information that a plough addressed to me has arrived at New York, *from England*, but unaccompanied by any letter or other explanation. As I have had no intimation of such an article to be forwarded to me from that country, I presume it is the one sent by the Society of the Seine, that it has been carried into England under their orders of council, and permitted to come on from thence. This I shall know within a short time. I shall with great pleasure attend to the construction and transmission to the Society of a plough with my mould-board. This is the only part of that useful instrument to which I have paid any particular attention. But knowing how much the perfection of the plough must depend, 1st, on the line of traction; 2d, on the direction of the share; 3d, on the angle of the wing; 4th, on the form of the mould-board; and persuaded that I shall find the three first advantages eminently exemplified in that which the Society sends me, I am anxious to see combined with these a mould-board of my form, in the hope it will still advance the perfection of that machine. But for this I must ask time till I am relieved from the cares

which have now a right to all my time, that is to say, till the next spring. Then giving, in the leisure of retirement, all the time and attention this construction merits and requires, I will certainly render to the Society the result in a plough of the best form I shall be able to have executed. In the meantime, accept for them and yourself the assurances of my high respect and consideration.

TO MONSIEUR LASTEYRIE.

WASHINGTON, July 15, 1808.

SIR,—I have duly received your favor of March 28th, and with it your treatises on the culture of the sugar cane and cotton plant in France. The introduction of new cultures, and especially of objects of leading importance to our comfort, is certainly worthy the attention of every government, and nothing short of the actual experiment should discourage an essay of which any hope can be entertained. Till that is made, the result is open to conjecture; and I should certainly conjecture that the sugar cane could never become an article of profitable culture in France. We have within the ancient limits of the United States, a great extent of country which brings the orange to advantage, but not a foot in which the sugar cane can be matured. France, within its former limits, has but two small spots, (Olivreles and Hieres) which brings the orange in open air, and *a fortiori*, therefore, none proper for

the cane. I should think the maple-sugar more worthy of experiment. There is no part of France of which the climate would not admit this tree. I have never seen a reason why every farmer should not have a sugar orchard, as well as an apple orchard. The supply of sugar for his family would require as little ground, and the process of making it as easy as that of cider. Mr. Micheaux, your botanist here, could send you plants as well as seeds, in any quantity from the United States. I have no doubt the cotton plant will succeed in some of the southern parts of France. Whether its culture will be as advantageous as those they are now engaged in, remains to be tried. We could, in the United States, make as great a variety of wines as are made in Europe, not exactly of the same kinds, but doubtless as good. Yet I have ever observed to my countrymen, who think its introduction important, that a laborer cultivating wheat, rice, tobacco, or cotton here, will be able with the proceeds, to purchase double the quantity of the wine he could make. Possibly the same quantity of land and labor in France employed on the rich produce of your Southern counties, would purchase double the quantity of the cotton they would yield there. This however may prove otherwise on trial, and therefore it is worthy the trial. In general, it is a truth that if every nation will employ itself in what it is fittest to produce, a greater quantity will be raised of the things contributing to human happiness, than if

every nation attempts to raise everything it wants within itself. The limits within which the cotton plant is worth cultivating in the United States, are the Rappahannock river to the north, and the first mountains to the west. And even from the Rappahannock to the Roanoke, we only cultivate for family use, as it cannot there be afforded at market in competition with that of the more Southern region. The Mississippi country, also within the same latitudes, admits the culture of cotton.

The superficial view I have yet had time to take of your treatise on the cotton plant, induces a belief that it is rich and correct in its matter, and contains a great fund of learning on that plant. When retired to rural occupations, as I shall be ere long, I shall profit of its contents practically, in the culture of that plant merely for household manufacture. In that situation, too, I shall devote myself to occupations much more congenial with my inclinations than those to which I have been called by the character of the times into which my lot was cast. About to be relieved from this *corvée* by age and the fulfilment of the *quadragena stipendia*, what remains to me of physical activity will chiefly be employed in the amusements of agriculture. Having little practical skill, I count more on the pleasures than the profits of that occupation. They will give me, too, the leisure which my present situation nearly denies, of rendering such services as may be within my means, to the Institute, the Agricultural Society of

the Seine, to yourself, and such other worthy individuals as may find any convenience in a correspondence here. I shall then be able particularly to fulfil the wishes expressed, of my sending to the Society of Agriculture a plough with my mould-board. Perhaps I may be able to add some other implements, peculiar to us, to the collection which I perceive that the Society is making. I salute you, Sir, with assurances of great esteem and respect.

TO THE SECRETARY OF THE NAVY
(JACOB CROWNINSHIELD).

WASHINGTON, July 16, 1808.

DEAR SIR,—Complaints multiply upon us of evasions of the embargo laws, by fraud and force. These come from Newport, Portland, Machias, Nantucket, Martha's Vineyard, etc., etc. As I do consider the severe enforcement of the embargo to be of an importance, not to be measured by money, for our future government as well as present objects, I think it will be advisable that during this summer all the gunboats, actually manned and in commission, should be distributed through as many ports and bays as may be necessary to assist the embargo. On this subject I will pray you to confer with Mr. Gallatin, who will call on you on his passage through Baltimore, and to communicate with him hereafter, *directly*, without the delay of consulting me, and generally to aid this object with such means of your department as are consistent with its situation.

I think I shall be able to leave this place by Wednesday. I will mention for your information, that the post for Milton leaves this place on Tuesdays and Fridays, and arrives at it on Sundays and, I believe, Thursdays.

I salute you with affection and respect.

TO ROBERT SMITH, OF THE WAR OFFICE.

WASHINGTON, July 16, 1808.

SIR,—The correspondence which you sent me the other day, between the British commanders and our officers in Moose Island, is now in the hands of Mr. Madison, and will be delivered to you on application. On consulting him and Mr. Gallatin, I find the facts to be that Moose Island has ever been in our possession, as well before as ever since the treaty of peace with Great Britain; that in the convention formed between Mr. King and the British government, about four years ago, wherein our limits in that quarter were mutually recognized, Moose Island was expressly acknowledged to belong to us; and, through an account of an article respecting Louisiana, the convention has not yet been ratified, yet both parties have acted on the article of these limits as if it had been ratified,—each party considering the parts then assigned to them as no longer questioned by the other.

I think you had better communicate the papers, with a copy of that article of the convention, to Gen-

eral Dearborn, with these observations, from whom the answer to our officer will go with more propriety. If you will speak on this subject with Mr. Madison, he will, perhaps, be able to state to you what passed between us on this subject more fully than I have done. Accept my salutations.

TO HIS EXCELLENCY GOVERNOR JAMES SULLIVAN.[1]

WASHINGTON, July 16, 1808.

SIR,—In my letter of May 6th I asked the favor of your Excellency, as I did of the Governors of other States not furnishing in their interior country flour sufficient for the consumption of the State, to take the trouble of giving certificates, in favor of any merchants meriting confidence, for the quantities necessary for consumption beyond the interior supplies. Having desired from the Treasury Department a statement of the quantities called for under these certificates, I find that those of your Excellency, received at the Treasury, amount to 51,000 barrels of flour, 108,400 bushels of Indian corn, 560 tierces of rice, 2,000 bushels of rye, and, in addition thereto, that there had been given certificates for either 12,450 barrels of flour, or 40,000 bushels of corn. As these supplies, although called for within the space of two months, will undoubtedly furnish the consumption of your State for a much longer time, I have thought it advisable to ask the favor of your

[1] Governor of Massachusetts.

Excellency, after the receipt of this letter, to discontinue issuing any other certificates, that we may not unnecessarily administer facilities to the evasion of the embargo laws; for I repeat what I observed in my former letter, that these evasions are effected chiefly by vessels clearing coastwise. But while I am desirous of preventing the frauds which go to defeat the salutary objects of these laws, I am equally so that the fair consumption of our citizens may in nowise be abridged. It would, therefore, be deemed a great favor if your Excellency could have me furnished with an estimate, on the best data possessed, of the quantities of flour, corn, and rice, which, in addition to your internal supplies, may be necessary for the consumption, in any given time, of those parts of your State which habitually depend on importation for these articles. I ask this the more freely, because I presume you must have had such an estimate formed for the government, of your discretion in issuing the preceding certificates, and because it may be so necessary for our future government. I salute you with assurance of great respect and esteem.

TO HIS EXCELLENCY GOVERNOR W. C. C. CLAIBORNE.[1]

WASHINGTON, July 17, 1808.

SIR,—After writing my letter of the 9th, I received one from Mr. Pitot in the name of the New Orleans

[1] Governor of Louisiana Territory.

Canal Company, which ought to have come with the printed report, stating more fully their views, and more explicitly the way in which we can aid them. They ask specifically that we should lend them $50,000, or take the remaining fourth of their shares now on hand. This last measure is too much out of our policy of not embarking the public in enterprises better managed by individuals, and which might occupy as much of our time as those political duties for which the public functionaries are particularly instituted. Some money could be lent them, but only on an assurance that it would be employed so as to secure the public objects. The first interests of the company will be to bring a practicable navigation from the Lake Pontchartrain through the Bayou St. Jean and Canal de Carondelet to the city, because that entitles them to a toll on the profitable part of the enterprise. But this would answer no object of the government unless it was carried through to the Mississippi, so that our armed vessels drawing five feet water might pass through. Instead therefore of the ground I suggested in my last letter, I would propose to lend them a sum of money on the condition of their applying it entirely to that part of the canal which, beginning at the Mississippi, goes round the city to a junction with the canal of Carondelet, and we may moreover at our own expense erect the locks. The Secretary of War not being here, I cannot propose these or any other terms precisely, but you may more openly than I proposed in my last

letter, give these as the general shape of the aid which we contemplate, collect the ideas of individual members, and communicate them to me, so that when I shall have an opportunity of consulting the Secretary of War we may put our proposition in the form most acceptable to them. On this subject I shall wish to hear from you soon.

Mr. Livingston was here lately, and finding that we considered the Batture as now resting with Congress, and that it was our duty to keep it clear of all adversary possession till their decision is obtained, wrote a letter to the Secretary of State, which, if we understand it, amounts to a declaration that he will on his return bring the authority of the court into array against that of the executive, and endeavor to obtain a forcible possession. But I presume that the court knows too well that the title of the United States to land is subject to the jurisdiction of no court, it having never been deemed safe to submit the major interests of the nation to an ordinary tribunal, or to any one but such as the Legislature establishes for the special occasion; and the Marshal will find his duty too plainly marked out in the act of March 3, 1807, to be at a loss to determine what authority he is to obey. It will be well however that you should have due attention paid to this subject, and particularly to apprise Mr. Grymes to be prepared to take care that the public rights receive no detriment.

I salute you with great respect and esteem.

TO GOVERNOR MERIWETHER LEWIS.

WASHINGTON, July 17, 1808.

DEAR SIR,—Since I parted with you in Albemarle in September last, I have never had a line from you nor I believe has the Secretary of War with whom you have much connection through the Indian department. The misfortune which attended the effort to send the Mandan chief home, became known to us before you had reached St. Louis. We took no step on the occasion, counting on receiving your advice so soon as you should be in place, and knowing that your knowledge of the whole subject and presence on the spot would enable you to judge better than we could what ought to be done. The constant persuasion that something from you must be on its way to us, has as constantly prevented our writing to you on the subject. The present letter, however, is written to put an end at length to this mutual silence, and to ask from you a communication of what you think best to be done to get the chief and his family back. We consider the good faith, and the reputation of the nation, as pledged to accomplish this. We would wish indeed, not to be obliged to undertake any considerable military expedition in the present uncertain state of our foreign concerns, and especially not till the new body of troops shall be raised. But if it can be effected in any other way and at any reasonable expense, we are disposed to meet it.

A powerful company is at length forming for taking up the Indian commerce on a large scale. They will employ a capital the first year of 300,000, and raise it afterwards to a million. The English Mackinac company will probably withdraw from the competition. It will be under the direction of a most excellent man, a Mr. Astor, merchant of New York, long engaged in the business, and perfectly master of it. He has some hope of seeing you at St. Louis, in which case I recommend him to your particular attention. Nothing but the exclusive possession of the Indian commerce can secure us their peace.

Our foreign affairs do not seem to clear up at all. Should they continue as at present, the moment will come when it will be a question for the Legislature whether war will not be preferable to a longer continuance of the embargo.

The Presidential question is clearing up daily, and the opposition subsiding. It is very possible that the suffrage of the nation may be undivided. But with this question it is my duty not to intermeddle. I have not lately heard of your friends in Albemarle. They were well when I left there in June, and not hearing otherwise affords presumptions they are well. But I presume you hear that from themselves. We have no tidings yet of the forwardness of your printer. I hope the first part will not be delayed much longer. Wishing you every blessing of life and health, I salute you with constant affection and respect.

TO THE SECRETARY OF WAR
(HENRY DEARBORN).

WASHINGTON, July 18, 1808.

DEAR GENERAL,—I had written to Governor Claiborne according to what had been agreed between you and myself, after which I received a letter from Pitot on behalf of the Canal company of New Orleans, which should have accompanied the printed report I communicated to you. The letter agrees with the report, and asks specifically that we should either lend them fifty thousand dollars, or buy the remaining fourth part of their shares now on hand. On consultation with Mr. Madison, Gallatin, and Rodney, we concluded it best to say we would lend them a sum of money if they would agree to lay out the whole of it in making the canal from the Mississippi round the town to its junction with the canal of Carondelet; and I wrote to Claiborne to sound the members of the company, and to find out if there were any modifications which would render the proposition more acceptable, to communicate them to me, and that when I should have an opportunity of consulting you, we would make the proposition in form.

I send you a letter of General Wilkinson's, the papers it covered, and my answer, which will sufficiently explain themselves. That in cases of military operations some occasions for secret service money must arise, is certain. But I think that they should

be more fully explained to the government than the General has done, seems also proper.

Mr. Smith will send you some British complaints on our fortifying Moose Islands, and the kind of answer recommended on consultation with the heads of departments.

We have such complaints of the breach of embargo by fraud and force on our northern water line, that I must pray your co-operation with the Secretary of the Treasury by rendezvousing as many new recruits as you can in that quarter. The Osage brought us nothing in the least interesting. I salute you with affection and respect.

TO HIS EXCELLENCY GOVERNOR CHARLES PINCKNEY.

WASHINGTON, July 18, 1808.

DEAR SIR,—Your favor of May 28 has been duly received, and in it the proceeding of the Court on the mandamus to the collector of Charleston. I saw them with great concern because of the quarter from whence they came, and where they could not be ascribed to any political waywardness.

The Legislature having found, after repeated trials, that no general rules could be formed which fraud and avarice would not elude, concluded to leave, in those who were to execute the power, a discretionary power paramount to all their general rules. This discretion was of necessity lodged with the collector in the first instance, but referred, finally, to the Presi-

dent, lest there should be as many measures of law or discretion for our citizens as there were collectors of districts. In order that the first decisions by the collectors might also be as uniform as possible, and that the inconveniences of temporary detention might be imposed by general and equal rules throughout the States, we thought it advisable to draw some outlines for the government of the discretion of the collectors, and to bring them all to one tally.

With this view they were advised to consider all shipments of flour *prima facie*, as suspicious. Because, if pretended to be for a State which made enough within itself, it could not, in these times, but be suspicious, and, if for a State which needed importations, we had provided, by the aid of the Governors of those States, a criterion for that case.

But your collector seems to have decided for himself that, instead of a general rule applicable equally to all, the personal character of the shipper was a better criterion, and his own individual opinion too, of that character.

You will see at once to what this would have led in the hands of an hundred collectors, of all sorts of characters, connections, and principles, and what grounds would have been given for the malevolent charges of favoritism with which the federal papers have reproached even the trust we reposed in the first and highest magistrates of particular States. It has been usual in another department, after the decision of any point by the superior tribunal is

known, for the inferior one to conform to that decision. The declaration of Mr. Theus, that *he* did not consider the case as suspicious, founded on his individual opinion of the shipper, broke down that barrier which we had endeavored to erect against favoritism, and furnished the grounds for the subsequent proceedings. The attorney for the United States seems to have considered the acquiescence of the collector as dispensing with any particular attentions to the case, and the judge to have taken it as a case agreed between plaintiff and defendant, and brought to him only formally to be placed on his records. But this question has too many important bearings on the constitutional organization of our government, to let it go off so carelessly. I send you the Attorney General's opinion on it, formed on great consideration and consultation. It is communicated to the collectors and marshals for their future government. I hope, however, the business will stop here, and that no similar case will occur. A like attempt has been made in another State, which I believe failed in the outset.

I have seen, with great satisfaction, the circumspection and moderation with which you have been so good as to act under my letter of May 6th. I owe the same approbation to some other of the Governors, but not to every one. Our good citizens having submitted to such sacrifices under the present experiment, I am determined to exert every power the law has vested in me for its rigorous fulfilment; that we

may know the full value and effect of this measure on any future occasion on which a resort to it might be contemplated.

The Osage did not bring us a tittle of anything interesting. The absence of the Emperor from Paris makes that a scene of no business; and I do not think we are to consider the course of the British government as finally decided, until the nation, as well as the ministry, are possessed of the communications to Congress of March 22, and our act hanging the duration of the embargo laws on that of the orders of council. The newspapers say Mr. Rose is coming over again. Mr. Pinckney did not know this at the departure of the Osage. Yet it may be so. It is well calculated to throw dust in the eyes of the nation, and to silence all attempts of the opposition to force a change of their measures. In this view it is a masterly stroke. The truth is that their debt is become such as the nation can no longer pay its interest. Their omnipotence at sea has bloated their imaginations so as to persuade them they can oblige all nations to carry all their produce to their island as an entrepot, to pay them a tax on it, and receive their license to carry it to its ultimate market. It is indeed a desperate throw, in the language of Canning, and who knows, says he, what the dice may turn up?

I answer, we know.

Since writing so far, I received your favor of June 30th, covering resolutions of your Legislature. They are truly worthy of them, and never could declara-

tions be better timed for dissipating the delusions in which the British government are nourished by the federal papers, and prevented from that return to justice which alone can continue our peace.

Wishing you every blessing of health and life, I salute you with assurances of great esteem and respect.

TO THE SECRETARY OF THE TREASURY (ALBERT GALLATIN).

MONTICELLO, July 25, 1808.

DEAR SIR,—I enclose you the petition of Somes, to do in it whatever is agreeable to general rule.

Punqua Winchung, the Chinese Mandarin, has, I believe, his headquarters at New York, and therefore his case is probably known to you. He came to Washington just as I had left it, and therefore wrote to me, praying permission to depart for his own country with his property, in a vessel to be engaged by himself. I enclose you Mr. Madison's letter, which contains everything I know on the subject. I consider it as a case of national comity, and coming within the views of the first section of the first embargo act. The departure of this individual with good dispositions, may be the means of making our nation known advantageously at the source of power in China, to which it is otherwise difficult to convey information. It may be of sensible advantage to our merchants in that country. I

cannot, therefore, but consider that a chance of obtaining a permanent national good should overweigh the effect of a single case taken out of the great field of the embargo. The case, too, is so singular, that it can lead to no embarrassment as a precedent.

I think, therefore, he should be permitted to engage a vessel to carry himself and his property, under such cautions and recommendations to him as you shall think best.

I leave it therefore to yourself to direct all the necessary details without further application to me, and for this purpose send you a blank passport for the vessel, etc., and Mr. Graham will obtain and forward you passports from the foreign ministers here. I salute you with affection and respect.

TO WILLIAM B. BIBB.

MONTICELLO, July 28, 1808.

SIR,—I received duly your favor of July 1st, covering an offer of Mr. McDonald of an iron mine to the public, and I thank you for taking the trouble of making the communication, as it might have its utility. But having always observed that public works are much less advantageously managed than the same are by private hands, I have thought it better for the public to go to market for whatever it wants which is to be found there; for there competition brings it down to the minimum of value. I have no doubt we can buy brass cannon at market cheaper than we

could make iron ones. I think it material too, not to abstract the high executive officers from those functions which nobody else is charged to carry on, and to employ them in superintending works which are going on abundantly in private hands. Our predecessors went on different principles; they bought iron mines, and sought for copper ones. We own a mine at Harper's Ferry of the finest iron ever put into a cannon, which we are afraid to attempt to work. We have rented it heretofore, but it is now without a tenant.

We send a vessel to France and England every six weeks, for the purposes of public as well as mercantile correspondence. These the public papers are in the habit of magnifying into special missionaries for great and special purposes. It is true that they carry our public despatches, whether the subject of the day happens to be great or small. The Osage was one of these; but she was charged with nothing more than repetitions of instructions to our ministers not to cease in their endeavors to have the obnoxious orders and decrees repealed. She brought not a tittle of the least interest. The St. Michael was another of these vessels, and may now be expected in a few days. The schooner Hope was a third, and sailed a few days ago. She may be expected a fortnight before Congress meets, and our ministers are apprised that whatsoever the belligerent powers mean to do, must be done before that time, as on the state of things then existing and known to us, Congress will have to

act. I return the letter of Mr. McDonald, as it may be useful for other purposes, and salute you with esteem and respect.

TO THE SECRETARY OF THE TREASURY (ALBERT GALLATIN).

MONTICELLO, July 29, 1808.

DEAR SIR,—I enclose you a letter of information of what is passing on the Canada line. To prevent it is, I suppose, beyond our means, but we must try to harass the unprincipled agents, and punish as many as we can.

I transmit, also, the petition of Tyson and James, millers of Baltimore, for permission to send a load of flour to New Orleans, to direct in it what is regular for I do not see any circumstance in the case sufficiently peculiar to take it out of the rule. If their views are honest, as I suppose them to be, it would be a great relief to them to be permitted, by giving bond for an increased valuation, to send their flour to its destination, and equal relief to us from these tormenting applications. Yet, as the other gentlemen seemed not satisfied that it would be legal, I would not have it done on my own opinion alone, however firmly I am persuaded of its legality. Could you not in the way of conversation with some of the sound lawyers of New York, find what would be their *prima facie* opinion, and if encouraged by that, we may take the opinion of the Attorney General, and

others. The questions to be solved are,—first: To what place should the valuation refer? and second: Would too high a valuation render the bond null in law? On the first, I observe that the law says that bond shall be given in double the value, etc., without saying whether its value *here*, or at the *place of sale*, is meant; that, generally speaking, its value *here* would be understood; but that whenever the words of a law will bear two meanings, one of which will give effect to the law, and the other will defeat it, the former must be supposed to have been intended by the Legislature, because they could not intend that meaning, which would defeat their intention, in passing that law; and in a statute, as in a will, the intention of the party is to be sought after. On the second point we would ask, who is to value the cargo on which the bond is to be taken? Certainly the collector, either by himself or his agents. When the bond is put in suit it must be recovered. Neither judge nor jury can go into the question of the value of the cargo. If anybody could, it would be the chancellor; but his maxim is never to lend his power in support of fraud or wrong. The common law could only give a remedy on an action for damages, as, for instance, if a collector, by requiring too large security, prevents a party from clearing out, damages might be recovered. But in the case in question, the consent of the party would take away the error, and besides, as the voyage takes place, no damages for preventing it can be recovered. These are gen-

eral considerations to be brought into view in such a conversation, which, indeed would recur to every lawyer who turned his mind to the subject at all. It would be a most important construction for the relief of the honest merchant, to whom the amount of bond is important, and to us, also, in the execution of the law; and I think its legality far more defensible than that of limiting the provisions to one-eighth of the cargo. My situation in the country gives me no opportunity to consult lawyers of the first order. Should such occur, however, I will avail myself of them.

I salute you affectionately.

TO THE SECRETARY OF STATE (JAMES MADISON).

MONTICELLO, July 29, 1808.

DEAR SIR,—The passport for the Leonidas goes by this post, to the collector of Norfolk. I return you Jarvis', Hackley's, and Montgomery's letters, and send you Hull's, Hunt's, Clarke's, and Mr. Short's, for perusal, and to be returned. On this last, the following questions arise: When exactly shall the next vessel go? Whence? Is not the secrecy of the mission essential? Is it not the very ground of sending it while the Senate is not sitting, in order that it may be kept secret? I doubt the expediency of sending one of our regular armed vessels. If we do, she should go to Petersburg direct.

And yet may there not be advantage in conferences between S. and A.? I have signed the commission and letter of credence, and now enclose them. Yet I must say I think the latter is very questionable indeed, in point of propriety. It says that the Minister is to *reside* near his person; but whether we should establish it at once into a permanent legation is much to be doubted, and especially in a recess of the Senate. I should think it better to express purposes something like the following: "to bear to your Imperial Majesty the assurances of the sincere friendship of the United States, and of their desire to maintain with your Majesty and your subjects the strictest relations of intercourse and commerce; to explain to your Majesty the position of the United States, and the considerations flowing from that which should keep them aloof from the contests of Europe; to assure your Majesty of their desire to observe a faithful and impartial neutrality, if not forced from that line by the wrongs of the belligerents; and to express their reliance that they will be befriended in these endeavors by your Majesty's powerful influence and friendship towards these States." This is hasty,—it is too long, and neither the expressions nor thoughts sufficiently accurate; but something of this kind, more concise and correct, may be formed, leaving the permanency of the mission still in our power.

There is no doubt but that the transaction at New Orleans, between Ortega and the British officer with

the prize sloop Guadaloupe, has been a mere fraud, to evade our regulation against the sale of prizes in our harbors; and his insolent letter intended merely to cover the fraud. His ready abandonment of the vessel, and Ortega's resumption of her, are clear proofs. Should not, or could not, process be ordered against Ortega and the vessel? I think a copy of Reeve's letter to Governor Claiborne, and of the proceedings of the court, might be sent to Mr. Erskine, with proper observations on this double outrage, and an intimation that the habitual insolence of their officers may force us to refuse them an asylum, even when seeking it in real distress, if the boon is to be abused as it has been by this insolent and dishonest officer. And as it is very possible the rascal may push his impostures to the making complaint to his government, this step with Mr. Erskine may anticipate it.

I salute you with sincere and constant affection.

TO THE SECRETARY OF WAR
(HENRY DEARBORN).

MONTICELLO, August 5, 1808.

DEAR SIR,—I enclose you a letter from the Pathkiller and others of the Cherokees, the object of which I do not precisely see. I suppose they are of Van's party. The sentiments are unquestionably those of a white man.

Sibley's letters present a disagreeable view. It

will be troublesome if we are once compelled to use acts of force against those people. It is the more difficult as we should have to pursue them into the country beyond the Sabine, on which an understanding with the Spaniards would be necessary. But what is the meaning of our not pursuing deserters over the Rio Hondo? I thought we had so far settled that matter, as that it was understood by the Spaniards that until a final settlement of boundary, the Sabine was to be that to which each was to exercise jurisdiction. On the same principles ought we not immediately to suppress this new appointment of a Spanish Alcalde at Bayou Pierre? I ask this for information, because I do not precisely recollect what we finally intended as to Bayou Pierre, and I have not the papers here. I suppose the trial and punishment of the guilty Alabamas, and Sibley's reclamations with the tribe for reparation, will give us time till we meet to consider what is to be done. Has any and what step been taken for the recovery of Pike's men?

Governor Lewis' letter offers something more serious. The only information I have on the subject, is his letter to Governor Harrison in a newspaper, which I cut out and enclose you. The retirement of White Hairs to St. Louis is strong proof that the case is serious. As they are at war with all nations, and in order to protect them we have been endangering our peace and friendship with the other nation, would not our best course be to inform all those

nations that, however desirous we have been of promoting peace among them, and however earnest our endeavors have been to restore friendship between them and the Osages particularly, we have found it impossible to bring that nation to a just and peaceable conduct towards others? That therefore we withdraw ourselves from before them, and leave them to be freely attacked and destroyed by all those who have cause of war against them? Would such a written message from me to the nations at war with them, be advisable? particularly to the Cherokees, Creeks, Chickasaws, and Choctaws, and such *northern* tribes as are at war with them. I do not recollect those of the latter description. Would it not be advisable to aid their war parties with provisions, and ammunition, and the repairs of their arms at our posts? Will it be necessary to authorize expeditions of militia, or only permit volunteers to join the Indian parties? or shall we leave what respects Militia to Governor Lewis? We shall certainly receive further information soon, but in the meantime I have thought we should turn it in our minds, and interchange ideas on the subject. I shall therefore be glad to hear from you on it. I salute you with constant affection and respect.

TO THE SECRETARY OF WAR
(HENRY DEARBORN).

MONTICELLO, August 6, 1808.

DEAR SIR,—A complaint has come to me indirectly on the part of the Cadets at West Point, that the promotions in their corps are made on other principles than those of seniority or merit. They do not charge Colonel Williams with an unjust selection by himself, but with leaving the selection to his lieutenant, whose declaration that it was so left to him, they say can be proved. It is stated particularly that a young man from the country, uneducated, and who had been with the corps but three months, and had acquired little there, was lately made an ensign to the prejudice of much superior qualifications. His name was mentioned to me but I have forgotten it. Justice to the officers forbids us to give credit to such imputations till proved; but justice to the corps requires us so far to attend to them as to make them the subject of inquiry; and I presume this was the object of the communication to me. I now mention it to you, because in returning through New York you may have an opportunity of inquiring into it. I am much more inclined to impute to the vanity of the lieutenant the declaration he is said to have made, than to suppose Colonel Williams has really delegated so important a trust to him. I salute you with constant affection.

TO MESSRS. KERR, MOORE, AND WILLIAMS, COMMISSIONERS OF THE WESTERN ROAD.

MONTICELLO, August 6, 1808.

GENTLEMEN,—It has been represented to me on behalf of the inhabitants of the town of Washington in Pennsylvania, that by a survey made at their expense, it is found that the western road, if carried through their town, to Wheeling, would be but a mile longer, would pass through better ground, and be made at less expense; and if carried to Short Creek, instead of Wheeling, the difference of distance would still be less. The principal object of this road is a communication directly westwardly. If, however, inconsiderable deflections from this course will benefit particular places, and better accommodate travellers, these are circumstances to be taken into consideration. I have therefore to desire that, having a regard to the funds which remain, you make as good an examination as they will admit, of the best route through Washington to Wheeling, and also to Short Creek or any other point on the river, offering a more advantageous route towards Chillicothe and Cincinnati, and that you report to me the material facts, with your opinions for consideration. I salute you with respect.

TO THE SECRETARY OF THE TREASURY (ALBERT GALLATIN).

MONTICELLO, August 6, 1808.

DEAR SIR,—On the subject of the western road, our first error was the admitting a deviation to Brownsville, and thus suffering a first encroachment on its principle. This is made a *point d'appui* to force a second, and I am told a third holds itself in reserve, so that a few towns in that quarter seem to consider all this expense as undertaken merely for their benefit. I should have listened to these solicitations with more patience, had it not been for the unworthy motives presented to influence me by some of those interested. Sometimes an opposition by force was held up, sometimes electioneering effects, as if I were to barter away, on such motives, a public trust committed to me for a different object. It seems, however, that our first error having made Brownsville, and no longer Cumberland, the point of departure, we must now go no further back in examining the claim of Washington. I have therefore written to the commissioners, the letter of which I enclose you a copy. The time saved by sending it to them direct, may be important, as they may be near their return. I am doubtful whether they have money enough left for a thorough examination If they have, their report will enable us to decide on this second deflection. But what will Wheeling say if we take the road from it, to give it to Washington?

I do not know its size or importance, nor whether some obstacles to navigation may not oppose our crossing at a higher place. I salute you with constant affection.

TO THE SECRETARY OF WAR
(HENRY DEARBORN).

MONTICELLO, August 9, 1808.

DEAR SIR,—Yours of July 27th is received. It confirms the accounts we receive from others that the infractions of the embargo in Maine and Massachusetts are open. I have removed Pope, of New Bedford, for worse than negligence. The collector of Sullivan is on the totter. The tories of Boston openly threaten insurrection if their importation of flour is stopped. The next post will stop it. I fear your Governor is not up to the tone of these parricides, and I hope, on the first symptom of an open opposition of the law by force, you will fly to the scene and aid in suppressing any commotion.

I enclose you the letter of Captain Dillard, recommending Walter Bourke for appointment. I know nothing of the writers of any of the letters except Thore, Jones, and Thweat, who are good men. I like Meigs' scheme with the Cherokees, and would wish it success. But will Congress give such a sum of money? The message of the Creek Chief is so far satisfactory, that I think we should give them time. Could we engage them to assist us in destroying the

guilty banditti? The letter enclosed from Cuthbert to Mr. Madison, on the means of taking Quebec, is worthy notice, and I wish you could, before your return, have an interview with him. Your office, and receipt of the letter from me, will give confidence to his communications. We have letters from Mr. Pinckney to May 30, but not one word interesting. Present me respectfully to Mrs. Dearborn, and accept my affectionate salutations.

TO THE SECRETARY OF THE TREASURY (ALBERT GALLATIN).

MONTICELLO, August 9, 1808.

DEAR SIR,—I enclose you, for your information, letters from General Dearborn, P. D. Sargent, and Elisha Tracey, on the infractions of the embargo, and their ideas on the means of remedy.

I pass them through the hands of the Secretary of the Navy, with a request that he will, in concert with you, give all the aid for the enforcement of the law which his department can afford. I think the conduct of Jordan, at Sullivan, should be inquired into, with a view to his removal if found either undisposed or negligent. Indeed, the distance of his residence, if it be fact, renders it impossible he should even sufficiently superintend the due execution of the duties of his office.

We have letters from Mr. Pinckney of the 30th of May, but containing not one interesting word. If

England should be disposed to continue peace with us, and Spain gives to Bonaparte the occupation she promises, will not the interval be favorable for our reprisals on the Floridas for the indemnifications withheld? Before the meeting of Congress we shall see further. I salute you with affection and respect.

TO THE SECRETARY OF THE NAVY (JACOB CROWNINSHIELD).

MONTICELLO, August 9, 1808.

DEAR SIR,— * * * * * * *

I have some apprehension the tories of Boston, etc., with so poor a head of a Governor, may attempt to give us trouble. I have requested General Dearborn to be on the alert, and fly to the spot where any open and forcible opposition shall be commenced, and to crush it in embryo. I am not afraid but that there is sound matter enough in Massachusetts to prevent an opposition of the laws by force. I am glad to see that Spain is likely to give Bonaparte employment. *Tant mieux pour nous.* Accept affectionate salutations.

TO ALBERT GALLATIN.

MONTICELLO, August 11, 1808.

DEAR SIR,—Your letters of July 29th and August 5th, came to hand yesterday, and I now return you those of Wynne, Wolsey, Quincy, Otis, Lincoln, and

Dearborn. This embargo law is certainly the most embarrassing one we have ever had to execute. I did not expect a crop of so sudden and rank growth of fraud and open opposition by force could have grown up in the United States. I am satisfied with you that if orders and decrees are not repealed, and a continuance of the embargo is preferred to war, (which sentiment is universal here,) Congress must legalize all *means* which may be necessary to obtain its *end*. Mr. Smith, in enclosing to me General Dearborn's and Lincoln's letters, informs me that immediately on receiving them he gave the necessary orders to the Chesapeake, the Wasp and Argus. Still I shall pass this letter and those it encloses, through his hands for information. I am clearly of opinion this law ought to be enforced at any expense, *which may not exceed our appropriation*. I approve of the instructions to General Lincoln, for selling the revenue cutter there and buying another, and also of what you propose at New London and Portsmouth, and generally I wish you to do as to the revenue cutters what you shall think best, without delaying it to hear from me. You possess the details so much better than I do, and are so much nearer the principal scenes, that my approbation can be but matter of form. As to ordering out militia, you know the difficulty without another proclamation. I advise Mr. Madison to inform General Turreau that the vessels we allow to the foreign ministers are only in the character of trans-

ports, and that they cannot be allowed but where the number of persons bears the proportion to the vessel which is usual with transports. You will see by my last that on learning the situation of affairs in Spain, it had occurred to me that it might produce a favorable occasion of doing ourselves justice in the south. We must certainly so dispose of our southern recruits and armed vessels as to be ready for the occasion. A letter of June 5th from Mr. Pinckney says nothing more than that in a few days he was to have a full conference on our affairs with Mr. Canning. That will doubtless produce us immediately an interesting letter from him. I salute you affectionately.

P. S. I this day direct a commission for General Steele, vice General Shee, deceased.

TO THE SECRETARY OF THE NAVY (JACOB CROWNINSHIELD).

MONTICELLO, August 12, 1808.

DEAR SIR,—Yours of July 30th came to hand yesterday. It has consequently loitered somewhere two posts. I am glad to learn the prompt aid you have afforded the Treasury department. To let you further understand the importance of giving all the aid we can, I pass through your hands my letter of this day to Mr. Gallatin, with those it encloses, which I will pray you, after perusal, to seal and put into

the post-office. In the support of the embargo laws, our only limit should be that of the appropriations of the department. A letter of June 5th from Mr. Pinckney informs us he was to have a free conference with Canning, in a few days. Should England get to rights with us, while Bonaparte is at war with Spain, the moment may be favorable to take possession of our own territory held by Spain, and so much more as may make a proper reprisal for her spoliations. We ought therefore to direct the rendezvous of our southern recruits and gunboats so as to be in proper position for striking the stroke in an instant, when Congress shall will it. I have recommended this to General Dearborn, as I now do to yourself. Mr. Fulton writes to me under a great desire to prepare a decisive experiment of his torpedo at Washington, for the meeting of Congress. This means of harbor-defence has acquired such respectability, from its apparent merit, from the attention shown it by other nations, and from our own experiments at New York, as to entitle it to a full experiment from us. He asks only two workmen for one month from us, which he estimates at $130 only. But should it cost considerably more I should really be for granting it, and would accordingly recommend it to you. This sum is a mere trifle as an encroachment on our appropriation. I salute you with affection and respect.

TO THE SECRETARY OF WAR
(HENRY DEARBORN).

MONTICELLO, August 12, 1808.

DEAR SIR,—Yours of July 27th has been received. I now enclose you the letters of Hawkins, Harrison, Wells, Hull, and Claiborne, received from the War Office, and as I conjecture, not yet seen by you. Indian appearances, both in the northwest and south, are well. Beyond the Mississippi they are not so favorable. I fear Governor Lewis has been too prompt in committing us with the Osages so far as to oblige us to go on. But it is astonishing we get not one word from him. I enclose you letters of Mr. Griff and Maclure, which will explain themselves. A letter of June 5th from Mr. Pinckney, informs us he was to have a free conference with Canning in a few days. Should England make up with us, while Bonaparte continues at war with Spain, a moment may occur when we may without danger of commitment with either France or England seize to our own limits of Louisiana as of right, and the residue of the Floridas as reprisal for spoliations. It is our duty to have an eye to this in rendezvousing and stationing our new recruits and our armed vessels, so as to be ready, if Congress authorizes it, to strike in a moment. I wish you to consider this matter in the orders to the southern recruits, as I have also recommended to the Secretary of the Navy, as to the armed vessels in the South. Indeed, I would ask your

opinion as to the positions we had better take with a view to this with our armed vessels as well as troops. The force in the neighborhood of Baton Rouge is enough for that. Mobile, Pensacola and St. Augustine, are those we should be preparing for. The enforcing the embargo would furnish a pretext for taking the nearest healthy position to St. Mary's, and on the waters of Tombigbee. I salute you with affection and respect.

TO THE SECRETARY OF STATE (JAMES MADISON).

MONTICELLO, August 12, 1808.

DEAR SIR,—Yours of the 10th came to hand yesterday, and I return you Fronda's, Tuft's, Soderstrom's, and Turreau's letters. I think it is become necessary to let Turreau understand explicitly that the vessels we permit foreign ministers to send away are merely transports, for the conveyance of such of their subjects as were here at the time of the embargo; that the numbers must be proportioned to the vessels, as is usual with transports; and that all who meant to go away must be presumed to have gone before now,—at any rate, that none will be accommodated after the present vessel. We never can allow one belligerent to buy and fit out vessels here, to be manned with his own people, and probably act against the other. You did not return my answer to Sullivan. But fortunately I have received another

letter, which will enable me to give the matter an easier turn, and let it down more softly. Should the conference announced in Mr. Pinckney's letter of June 5th, settle friendship between England and us, and Bonaparte continue at war with Spain, a moment may occur favorable, without compromitting us with either France or England, for seizing our own from the Rio Bravo to Perdido, as of right, and the residue of Florida, as a reprisal for spoliations. I have thought it proper to suggest this possibility to General Dearborn and Mr. Smith, and to recommend an eye to it in their rendezvousing and stationing the new southern recruits and gunboats, so that we may strike in a moment when Congress says so. I have appointed General Steele successor to Shee. Mr. and Mrs. Barlow, and Mrs. Blayden, will be here about the 25th. May we hope to see Mrs. Madison and yourself then, or when? I shall go to Bedford about the 10th of September. I salute you with constant affection and respect.

TO HIS EXCELLENCY GOVERNOR JAMES SULLIVAN.

MONTICELLO, August 12, 1808.

SIR,—Your letter of July 21st has been received some days; that of July 23d not till yesterday. Some accident had probably detained it on the road considerably beyond its regular passage. In the former you mention that you had thought it advisable to continue issuing certificates for the importation of

flour, until you could hear further from me; and in the latter, that you will be called from the Capital in the fall months, after which it is your desire that the power of issuing certificates may be given to some other, if it is to be continued.

In mine of July 16th I had stated that, during the two months preceding that, your certificates, received at the Treasury, amounted, if I rightly recollect, to about 60,000 barrels of flour, and a proportionable quantity of corn. If this whole quantity had been *bona fide* landed and retained in Massachusetts, I deemed it certain there could not be a real want for a considerable time, and, therefore, desired the issues of certificates might be discontinued. If, on the other hand, a part has been carried to foreign markets, it proves the necessity of restricting reasonably this avenue to abuse. This is my sole object, and not that a real want of a single individual should be one day unsupplied. In this I am certain we shall have the concurrence of all the good citizens of Massachusetts, who are too patriotic and too just to desire, by calling for what is superfluous, to open a door for the frauds of unprincipled individuals who, trampling on the laws, and forcing a commerce shut to all others, are enriching themselves on the sacrifices of their honester fellow citizens;—sacrifices to which these are generally and willingly submitting, as equally necessary whether to avoid or prepare for war.

Still further, however, to secure the State against

all danger of want, I will request you to continue issuing certificates, in the moderate way proposed in your letter, until your departure from the Capital, as before stated, when I will consider it as discontinued, or make another appointment if necessary. There is less risk of inconvenience in this, as, by a letter from the Secretary of the Treasury, of May 20th, the collectors were advised not to detain any vessel, the articles of whose lading were so proportioned as to give no cause of suspicion that they were destined for a foreign market. This mode of supply alone seems to have been sufficient for the other importing States, if we may judge from the little use they have made of the permission to issue certificates.

Should these reasonable precautions be followed, as is surmised in your letter of July 21st, by an artificial scarcity, with a view to promote turbulence of any sort or on any pretext, I trust for an ample security against this danger to the character of my fellow citizens of Massachusetts, which has, I think, been emphatically marked by obedience to law, and a love of order. And I have no doubt that whilst we do our duty, they will support us in it. The laws enacted by the general government, will have made it our duty to have the embargo strictly observed, for the general good; and we are sworn to execute the laws. If clamor ensue, it will be from the few only, who will clamor whatever we do. I shall be happy to receive the estimate promised by

your Excellency, as it may assist to guide us in the cautions we may find necessary. And here I will beg leave to recall your attention to a mere error of arithmetic in your letter of July 23d. The quantity of flour requisite on the data there given, would be between thirteen and fourteen thousand barrels per month. I beg you to accept my salutations, and assurances of high respect and consideration.

TO ROBERT FULTON.

MONTICELLO, August 15, 1808.

SIR,—Immediately on the receipt of your letter of the 5th, I wrote to the Secretary of the Navy, recommending a compliance with your request of the workmen. Although no public servant could justify the risking the safety of an important seaport, solely on untried means of defence, yet I have great confidence in those proposed by you as additional to the ordinary means. Their small cost, too, in comparison with the object, ought to overrule those rigorous attentions to keep within the limits of our appropriations, which have probably weighed with the Secretary in declining the proposition. You are sensible, too, that harassed as the offices are daily by the visions of unsound heads, even those solid inventions destined to better our condition, feel the effects of being grouped with them. Wishing every success to your experiment, I salute you with esteem and respect.

TO ISRAEL SMITH.

MONTICELLO, August 15, 1808.

SIR,—I this moment receive your favor of the 12th, with Captain Saunders' letter on the acquisition of a site for a battery at Norfolk. I think that, instead of acceding to the proposition to take the whole three acres at $1,500, it will be better to accept the other alternative of Mr. Thompson, to have the ground valued by proper persons. In this case, too, it should be attempted to restrain the purchase to the half acre, as desired by the Secretary of War, but if the owner insists on selling the whole or none, the whole should be taken rather than let the works of defence be delayed. You will be pleased to give instructions accordingly.

The despatches hitherto received at the War Office, and forwarded to me, I have from time to time sent directly to General Dearborn, on the presumption they had not yet been seen by him. If this is wrong, be so good as to notify me of it. I return you Captain Saunders' letter, and tender you my salutations.

TO HIS EXCELLENCY GOVERNOR DANIEL D. TOMPKINS.

MONTICELLO, August 15, 1808.

SIR,—I have this day received your Excellency's favor of the 9th instant, and I now return you the papers it enclosed. The case of opposition to the embargo laws on the Canada line, I take to be that

of distinct combinations of a number of individuals to oppose by force and arms the execution of those laws, for which purpose they go armed, fire upon the public guards, in one instance at least have wounded one dangerously, and rescue property held under these laws. This may not be an insurrection in the popular sense of the word, but being arrayed in war-like manner, actually committing acts of war, and persevering systematically in defiance of the public authority, brings it so fully within the legal definition of an insurrection, that I should not hesitate to issue a proclamation, were I not restrained by motives of which your Excellency seems to be apprised. But as by the laws of New York an insurrection can be acted on without a previous proclamation, I should conceive it perfectly correct to act on it as such, and I cannot doubt it would be approved by every good citizen. Should you think proper to do so, I will undertake that the necessary detachments of militia called out in support of the laws, shall be considered as in the service of the United States, and at their expense. And as it has been intimated to me that you would probably take the trouble of going to the spot yourself, I will refer to your discretion the measures to be taken, and the numbers to be called out at different places, only saying, as duty requires me to fix some limit, that the whole must not exceed five hundred men without further consulting me. Should you be willing to take the trouble of going to the place, you will render

a great public service, as I am persuaded your presence there will be such a manifestation of the public determination to support the authority of the laws, as will probably deter the insurgents from pursuing their course. I think it so important in example to crush these audacious proceedings, and to make the offenders feel the consequences of individuals daring to oppose a law by force, that no effort should be spared to compass this object. As promptitude is requisite, and the delay of consulting me on details at this distance might defeat our views, I would rather, where you entertain doubts, that you would satisfy yourself by conference with the Secretary of the Treasury, who is with you, and to whom our general views are familiar. I salute you with esteem and high respect.

TO THE SECRETARY OF THE TREASURY (ALBERT GALLATIN).

MONTICELLO, August 15, 1808.

DEAR SIR,—Yours of the 6th and 9th, are just now received, as well as a letter from Governor Tompkins on the subject of aiding the revenue officers on the Canada line with militia. I refer you on this subject to my answer to him, and pray you to encourage strongly his going to the spot himself, and acting according to the urgencies which will present themselves there. Should you have satisfactory evidence of either *mala fides* or negli-

gence in Pease, he shall be removed without ceremony. I do not know the residence of Greene of Massachusetts. The opinion you have given in the case stated by Ellery is certainly correct. No civil officer of the States can take cognizance of a federal case. Considering our determination to let no more vessels go so far as the Cape of Good Hope, I see nothing in the case of the brig Resolution, Craycroft, to justify a change of the rule, and therefore cannot consent to a vessel's being sent there. The case of the Chinese Mandarin is so entirely distinct, that it can give no ground for this claim. The opportunity hoped from that, of making known through one of its own characters of note, our nation, our circumstances and character, and of letting that government understand at length the difference between us and the English, and separate us in its policy, rendered that measure a diplomatic one in my view, and likely to bring lasting advantage to our merchants and commerce with that country.

I enclose you the rough draught of a letter I have written to Governor Sullivan, in answer to two of his. It was done on consultation with Mr. Madison.

I informed you in mine of the 11th that I had directed a commission for General Steele as successor to Shee. This was certainly according to what had been agreed upon at Washington, the event of Shee's death being then foreseen and made the subject of consultation with yourself, Mr. Rodney, and, I believe, Mr. Madison. The call for the militia from

all the States having been agreed on in April, I have taken for granted it was going on. I will look to it, as also to the fortifications of New York. I salute you with affection and respect.

TO GOVERNOR W. C. C. CLAIBORNE.

MONTICELLO, August 16, 1808.

SIR,—General Dearborn being on a visit to the province of Maine, your letter to him (the date not recollected) was sent to me from his office, and, after perusal, was forwarded to him. As the case of the five Alabamas, under prosecution for the murder of a white man, may not admit delay, if a conviction takes place, I have thought it necessary to recommend to you in that case to select the leader, or most guilty, for execution, and to reprieve the others till a copy of the judgment can be forwarded, and a pardon sent you; in the meantime letting them return to their friends, with whom you will of course take just merit for this clemency, our wish being merely to make them sensible by the just punishment of one, that our citizens are not to be murdered or robbed with impunity.

I have learnt with real mortification that the engineers successively appointed, have withdrawn from their undertaking to carry on the defensive works of New Orleans. It is more regretted as capable persons in that line are more difficult to be got, and it takes so long for the information to come here, and

the place to be supplied. Two other persons applied to here have declined going. Whether General Dearborn has at length been able to engage one I am not informed. I fear that these disappointments will lose us the season in a work which more than any other it was my desire to have had completed this year. Certainly these losses of time shall be shortened by us as far as is in our power. I salute you with esteem and respect.

TO THE SECRETARY OF THE TREASURY (ALBERT GALLATIN).

MONTICELLO, August 19, 1808.

DEAR SIR,—Yours of August 3d, which ought to have been here on the 8th, was not received till yesterday. It has loitered somewhere, therefore, ten days, during which three mails have been received. I proceed to its contents.

Somes's case. The rule agreed to at our meeting of June 30th was general, that no permissions should be granted for Europe, Asia, or Africa, and there is nothing in Somes's case to entitle it to exemption from the rule, more than will be found in every case that shall occur; as a precedent then, it would be a repeal of the rule, and in fact of the embargo law. He might have sent his proofs to Malta through England, either by the British packets or by our avisos. If he has not done it, and cannot now do it. it is his fault; the permission therefore must be refused.

Coquerel's case. 1. The question whether he had a right to expect a permit is against him. None in writing was given; no note or memorandum on any paper is found warranting the fact, nor is there even any trace of it in the memory of the collector. On what evidence then does it rest? Merely on the words of the owner and captain that the language of the collector conveyed an impression on them that they were to have a permit; but we well know where this sort of evidence would land us.

2d. But suppose we had had a positive or written permission, why was it not used? Could it be believed to be good for this year, next year, or ten years hence? The reason of the thing must have shown to every one that it was good *under existing circumstances* only, and might become null if not used till these were changed. But the written notification of August 1st, giving a final day, annuls all permits after that day; and not a single circumstance is stated which entitles them to a prolongation of the time, which would not entitle every other, and consequently repeal the limitation of time and the law. I see no ground, therefore, for relieving him from the operation of the rule.

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I enclose you a letter from a Mr. Ithomel to the Secretary of the Navy. I know not who he is, perhaps an officer of the navy. This is the second letter he has written, expressing his belief that there is ground to apprehend insurgency in Massachusetts.

Neither do I know his politics, which might also be a key to his apprehensions. That the federalists may attempt insurrection is possible, and also that the Governor would sink before it. But the republican part of the State, and that portion of the federalists who approve the embargo in their judgments, and at any rate would not court mob-law, would crush it in embryo. I have some time ago written to General Dearborn to be on the alert on such an occasion, and to take direction of the public authority on the spot. Such an incident will rally the whole body of republicans of every shade to a single point, —that of supporting the public authority. Be so good as to return the letter to Mr. Smith. He informs me he has left to yourself and Commander Rogers to order whatever gunboats you think can be spared from New York to aid the embargo law. If enough be left there or near there, to preserve order in the harbor, or to drive out a single ship of force, it would be sufficient in the present tranquil state of things.

The principle of our indulgence of vessels to foreign ministers was, that it was fair to let them send away all their subjects caught here by the embargo, and who had no other means of getting away.

General Turreau says there are fifteen hundred French sailors,—deserters, here, many of whom wish to go home. I have desired Mr. Madison to inform him that the tonnage permitted must be proportioned to the numbers, according to the rules

in transport service. On this ground, I do not know that we can do wrong. We have nothing yet from Pinckney or Armstrong. But the first letter from the former must be so. I salute you with affection and respect.

TO THE SECRETARY OF WAR
(HENRY DEARBORN).

MONTICELLO, August 20, 1808.

DEAR SIR,—I enclose you a letter of July 1st, from Governor Lewis, received from the War Office by the last post. It presents a full, and not a pleasant, view of our Indian affairs west of the Mississippi. As the punishment of the Osages has been thought necessary, the means employed appear judicious. First, to draw off the friendly part of the nation, and then, withdrawing the protection of the United States, leave the other tribes free to take their own satisfaction of them for their own wrongs. I think we may go further, without actually joining in the attack. The greatest obstacle to the Indians acting in large bodies, being the difficulty of getting provisions, we might supply them, and ammunition also, if necessary. I hope the Governor will be able to settle with the Sacs and Foxes without war, to which, however, he seems too much committed. If we had gone to war for every hunter or trader killed, and murderer refused, we should have had general and constant war. The process to be followed, in my

opinion, when a murder has been committed, is first to demand the murderer, and not regarding a first refusal to deliver, give time and press it. If perseveringly refused, recall all traders, and interdict commerce with them, until he be delivered. I believe this would rarely fail in producing the effect desired; and we have seen that, by steadily following this line, the tribes become satisfied of our moderation, justice, and friendship to them, and become firmly attached to us. The want of time to produce these dispositions in the Indians west of the Mississippi, has been the cause of the Kanzas, the Republican, the Great and the Wolf Panis, the Matas, and Poncaras, adhering to the Spanish interest against us. But if we use forbearance, and open commerce for them, they will come to, and give us time to attach them to us. In the meantime, to secure our frontiers against their hostility, I would allow Governor Lewis the three companies of spies, and military stores he desires. We are so distant, and he so well acquainted with the business, that it is safest for our citizens there and for ourselves, after enjoining him to pursue our principles, to permit him to select the means. The factories proposed on the Missouri and Mississippi, as soon as they can be in activity, will have more effect than as many armies. It is on their interests we must rely for their friendship, and not on their fears. With the establishment of these factories, we must prohibit the British from appearing westward of the Mississippi, and southward of

logarithm degree; we must break up all their factories on this side the Mississippi, west of Lake Michigan; not permit them to send out individual traders to the Indian towns, but require all their commerce to be carried on at their factories,—putting our own commerce under the same regulations, which will take away all ground of complaint. In like manner, I think well of Governor Lewis' proposition to carry on all our commerce west of the Mississippi, at fixed points; licensing none but stationary traders residing at these points; and obliging the Indians to come to the commerce, instead of sending it to them. Having taken this general view of the subject, which I know is nearly conformable to your own, I leave to yourself the detailed answer to Governor Lewis, and salute you with constant affection and respect.

TO GOVERNOR MERIWETHER LEWIS.

MONTICELLO, August 21, 1808.

DEAR SIR,—Your letter to General Dearborn, of July 1st, was not received at the War Office till a few days ago, was forwarded to me, and after perusal sent on to General Dearborn, at present in Maine. As his official answer will be late in getting to you, I have thought it best, in the meantime, to communicate to yourself, directly, ideas in conformity with those I have expressed to him, and with the principles on which we have conducted Indian affairs. I regret

that it has been found necessary to come to open rupture with the Osages, but, being so, I approve of the course you have pursued,—that of drawing off the friendly part of the nation,—withdrawing from the rest the protection of the United States, and permitting the other nations to take their own satisfaction for the wrongs they complain of. I have stated to General Dearborn that I think we may go further, and as the principal obstacle to the Indians acting in large bodies, is the want of provisions, we might supply that want, and ammunition also, if they need it. With the Sacs and Foxes I hope you will be able to settle amicably, as nothing ought more to be avoided than the embarking ourselves in a system of military coercion on the Indians. If we do this, we shall have general and perpetual war. When a murder has been committed on one of our stragglers, the murderer should be demanded. If not delivered, give time, and still press the demand. We find it difficult, with our regular government, to take and punish a murderer of an Indian. Indeed, I believe we have never been able to do it in a single instance. They have their difficulties also, and require time. In fact, it is a case where indulgence on both sides is just and necessary, to prevent the two nations from being perpetually committed in war, by the acts of the most vagabond and ungovernable of their members. When the refusal to deliver the murderer is permanent, and proceeds from the want of will, and not of ability, we should then interdict all trade and

intercourse with them till they give us complete satisfaction. Commerce is the great engine by which we are to coerce them, and not war. I know this will be less effectual on this side the Mississippi, where they can have recourse to the British; but this will not be a long-lived evil. By this forbearing conduct towards the Mississippian Indians for seven years past, they are become satisfied of our justice and moderation towards them, that we have no desire of injuring them, but, on the contrary, of doing them all the good offices we can, and they are become sincerely attached to us; and this disposition, beginning with the nearest, has spread and is spreading itself to the more remote, as fast as they have opportunities of understanding our conduct. The Sacs and Foxes, being distant, have not yet come over to us. But they are on the balance. Those on this side the Mississippi, will soon be entirely with us, if we pursue our course steadily. The Osages, Kanzas, the Republican, Great and Wolf Panis, Matas, Poncaras, etc., who are inclined to the Spaniards, have not yet had time to know our dispositions. But if we use forbearance, and open commerce with them, they will come to, and give us time to attach them to us. In the meantime, to secure our frontiers, I have expressed myself to General Dearborn in favor of the three companies of spies, and the military supplies you ask for. So, also, in the having established factories, at which all the traders shall be stationary, allowing none to be itinerant, further than indis-

pensable circumstances shall require. As soon as our factories on the Missouri and Mississippi can be in activity, they will have more powerful effects than so many armies. With respect to the British, we shall take effectual steps to put an immediate stop to their crossing the Mississippi, by the severest measures. And I have proposed to General Dearborn to break up all their factories within our limits on this side the Mississippi, to let them have them only at fixed points, and suppress all itinerant traders of theirs, as well as our own. They have, by treaty, only an equal right of commerce with ourselves, the regulations of which on our side of the line belong to us, as that on their side belongs to them. All that can be required is that these regulations be equal. These are the general views which, on the occasion of your letter, I have expressed to General Dearborn. I reserve myself for consultation with him, and shall be very glad to receive your sentiments also on the several parts of them, after which we may decide on the modifications which may be approved. In the meantime you will probably receive from him an answer to your letter, till which this communication of my sentiments may be of some aid in determining your own course of proceeding.

Your friends here are all well, except Colonel Lewis, who has declined very rapidly the last few months. He scarcely walks about now, and never beyond his yard. We can never lose a better man. I salute you with affection and respect.

TO THE HONORABLE LEVI LINCOLN.

MONTICELLO, August 22, 1808.

DEAR SIR,—You are not unapprised that in order to check the evasions of the embargo laws effected under color of the coasting trade, we found it necessary to prevent the transportation of flour coastwise, except to the States not making enough for their own consumption, and that to place the supplies of these States under some check, a discretionary power was given to the Governors to give licenses to the amount of what they deemed the necessary importation. By a subsequent regulation, the collectors were advised not to detain suspicious vessels, the articles of whose cargoes were so proportioned as not to excite suspicion of fraudulent intentions; and particularly where not more than one-eighth in value was provisions. This last regulation has operated so well that in the other importing States (Massachusetts excepted) little or no use has been made of the power of giving special licenses. But the licenses of Massachusetts, in the first two months, having amounted to 60,000 barrels of flour, the quantity was so much beyond their consumption, that it was suspected the licenses were fraudulently perverted to cover exportation. I therefore requested Governor Sullivan to discontinue issuing them, as, if the whole quantity was landed and retained in the State, it could not want for some time, and if exported, it showed we ought to guard that

avenue to fraud. He apprised me, however, by letter, of circumstances which induced him to continue a moderated issue of licenses till he could hear from me, and I approved of his doing so till he should leave the capital, which he informed me he should do in the fall, when, if the power were to be continued, he wished it to be put into other hands, as his absence would prevent his exercising it. On this ground the matter now rests. He supposes that about ninety thousand persons in the State subsist on imported flour, which, at a pound a day, would require between thirteen and fourteen thousand barrels a month. Certainly it is not my wish that the want of a single individual should be unsupplied a single day; and I presume the well-affected citizens of Massachusetts would not wish, by importing a superfluous stock, to open a door for defeating a law judged by the national authorities necessary for the public good, and cheerfully submitted to elsewhere in the union. The question is, whether, after so great importations, the permission to all coasting vessels to take one-eighth in provisions will not supply the State? On this subject I ask your friendly information. If it will not, then I must request your undertaking to issue licenses, on the departure of the Governor, to such characters as you may not suspect would make a fraudulent use of them. The power will, with propriety, devolve on you, on the Governor's declining it. You stand next in the confidence of the State, and certainly second to no

one in my confidence. I will therefore ask from you a full communication of facts, and your opinions on this subject, with an entire disposition on my part to do whatever, consistently with my duty, I can do to obviate difficulties. I pray you to be assured of my constant esteem and attachment.

TO GOVERNOR MERIWETHER LEWIS.

MONTICELLO, August 24, 1808.

DEAR SIR,—My letter of August 21st being gone to the post-office, I write this as a supplement, which will be in time to go by the same post. Isham Lewis arrived here last night and tells me he was with you at St. Louis about the second week in July, and consequently, after your letter of the 1st of that month, that four Iowas had been delivered up to you as guilty of the murder which had been charged to the Sacs and Foxes, and that you supposed three of them would be hung. It is this latter matter which induces me to write again.

As there was but one white murdered by them, I should be averse to the execution of more than one of them, selecting the most guilty and worst character. Nothing but extreme criminality should induce the execution of a second, and nothing beyond that. Besides their idea that justice allows only man for man, that all beyond that is new aggression, which must be expiated by a new sacrifice of an equivalent number of our people, it is our great object

to impress them with a firm persuasion that all our dispositions towards them are fatherly; that if we take man for man, it is not from a thirst for blood or revenge, but as the smallest measure necessary to correct the evil, and that though all concerned are guilty, and have forfeited their lives by our usages, we do not wish to spill their blood as long as there can be a hope of their future good conduct. We may make a merit of restoring the others to their friends and their nation, and furnish a motive for obtaining a sincere attachment. There is the more reason for this moderation, as we know we cannot punish any murder which shall be committed by us on them. Even if the murderer can be taken, our juries have never yet convicted the murderer of an Indian. Should these Indians be convicted, I would wish you to deliver up to their friends at once, those whom you select for pardon, and not to detain them in confinement until a pardon can be actually sent you. That shall be forwarded to you as soon as you shall send me a copy of the judgment on which it shall be founded.

I am uneasy hearing nothing from you about the Mandan chief, nor the measures for restoring him to his country. That is an object which presses on our justice and our honor, and further than that I suppose a severe punishment of the Ricaras indispensable, taking for it our own time and convenience. My letter from Washington asked your opinions on this subject. I repeat my salutations of affection and respect.

TO THE SECRETARY OF WAR
(HENRY DEARBORN).

MONTICELLO, August 25, 1808.

DEAR SIR,—In my letter of the 15th I informed you that I had authorized Governor Tompkins to order out such aids of militia on Lake Ontario and the Canada line, as he should find necessary to enforce the embargo, not exceeding five hundred, he proposing to repair thither himself to select trusty persons. I am now to request that you will have measures taken for their pay, subsistence, and whatever else is requisite.

I enclose you applications for military command in favor of John B. Livingston and John Murphy, a letter from Governor Hull, and one from Howell Hern, who seems to have just cause of complaint against Captain Armstead; and I salute you with affection and respect.

TO THE SECRETARY OF THE TREASURY
(ALBERT GALLATIN).

MONTICELLO, August 26, 1808.

DEAR SIR,—Yours of the 17th was received only yesterday. It ought to have come by the preceding post. I mention the delay of your letters, as you may perhaps know how it happens.

Smissaert's Case.

The exportation of these doits was refused before, and I see no reason for a change of opinion. They are understood to be private property. If they were public, we might on a principle of comity permit their exportation in their own or any other foreign vessel. But comity does not require us to send our ships and seamen into the mouths of captors. I am not sufficiently informed of the conduct of the Batavian government towards our vessels at present, to derive any motive from that to affect the present case.

Kettridge's letter, with yours to him and Blake, and Burt's letter, are now returned. I am in hopes the successes of our armed vessels will check the evasions of the embargo. I have received no letter from Governor Tompkins since that of the 9th, my answer to which, of the 15th, contained assurances which would fully meet any case of militia ordered out by him under five hundred, as to our answering the expense. I will write immediately to General Dearborn to provide pay and subsistence, and will send it open to his chief clerk at Washington, with instructions to him to take order in it immediately, to prevent the delay from General Dearborn's absence. I will also write to General Wilkinson to forward the recruits of New York to the positions you have named. Your circular for the North Carolina navigation, and the papers concerning the

Mandarin, are not yet received. Astor's publication in the Aurora has sufficiently quieted me on that head. * * * * * * * *

P. S. No letter yet from Mr. Pinckney.

TO CAPTAIN M'GREGOR.

MONTICELLO, August 26, 1808.

SIR,—In answer to the petition which you delivered me from the officers of merchant vessels belonging to Philadelphia, I must premise my sincere regret at the sacrifices which our fellow citizens generally, and the petitioners in particular, have been obliged to meet by the circumstances of the times. We live in an age of affliction, to which the history of nations presents no parallel. We have for years been looking on Europe covered with blood and violence, and seen rapine spreading itself over the ocean. On this element it has reached us, and at length in so serious a degree, that the Legislature of the nation has thought it necessary to withdraw our citizens and property from it, either to avoid, or to prepare for engaging in the general contest. But for this timely precaution, the petitioners and their property might now have been in the hands of spoilers, who have laid aside all regard to moral right. Withdrawing from the greater evil, a lesser one has been necessarily encountered. And certainly, could the Legislature have made provision against this also, I should have

had great pleasure as the instrument of its execution, but it was impracticable, by any general and just rules, to prescribe in every case the best resource against the inconveniences of this new situation. The difficulties of the crisis will certainly fall with greater pressure on some descriptions of citizens than on others; and on none perhaps with greater than our seafaring brethren. Should any means of alleviation occur within the range of my duties, I shall with certainty advert to the situation of the petitioners, and, in availing the nation of their services, aid them with a substitute for their former occupations. I salute them and yourself with sentiments of sincere regard.

TO THE SECRETARY OF WAR
(HENRY DEARBORN).

MONTICELLO, August 27, 1808.

DEAR SIR,—In my letter of yesterday I omitted to enclose that of Hern, which I now do. I add to it a newspaper from St. Louis, in which is an account of the surrender of some Indian murderers. This paper says there were three or four whites murdered. But I think Governor Lewis' letter says but one. On that ground I wrote to him to recommend, if they should be convicted, to suffer only one to be executed, unless there was strong reason for doing more, and to deliver up the rest to their friends, as a proof of our friendship and desire not to injure

them. Mr. Woolsey, our Collector on Champlain, has lately been to Montreal. He took much pains to find out the British strength in that quarter, and the following is what, he says, we may rely on:

At Montreal	450
Chambly	80
St John's	40
Odle Town	14
Isle Aux Noix	10
	594

He adds, that 10,000 men will take the whole country to within a league of Quebec. I salute you with affection and respect.

TO THE EMPEROR OF RUSSIA.

UNITED STATES, August 29, 1808.

GREAT AND GOOD FRIEND AND EMPEROR,—Desirous of promoting useful intercourse and good understanding between your Majesty's subjects and the citizens of the United States, and especially to cultivate the friendship of your Majesty, I have appointed William Short, one of our distinguished citizens, to be in quality of Minister Plenipotentiary of theUnited States, the bearer to you of assurances of their sincere friendship, and of their desire to maintain with your Majesty and your subjects the strictest relations of amity and commerce: he will explain to your Majesty the peculiar position of these States, sepa-

rated by a wide ocean from the powers of Europe, with interests and pursuits distinct from theirs, and consequently without the motives or the appetites for taking part in the associations or oppositions which a different system of interests produces among them; he is charged to assure your Majesty more particularly of our purpose to observe a faithful neutrality towards the contending powers, in the war to which your Majesty is a party, rendering to all the services and courtesies of friendship, and praying for the re-establishment of peace and right among them; and we entertain an entire confidence that this just and faithful conduct on the part of the United States will strengthen the friendly dispositions you have manifested towards them, and be a fresh motive with so just and magnanimous a sovereign to enforce, by the high influence of your example, the respect due to the character and the rights of a peaceable nation. I beseech you, great and good friend and Emperor, to give entire credence to whatever he shall say to you on the part of these States, and most of all when he shall assure you of their cordial esteem and respect for your Majesty's person and character, praying God always to have you in his safe and holy keeping.

TO GENERAL JAMES WILKINSON.

MONTICELLO, August 30, 1808.

DEAR GENERAL,—The absence of General Dearborn and his great distance render it necessary to

recommend a measure which should regularly go from him, but will not admit of that delay. The armed resistance to the embargo laws on the Canada line induced us at an early period to determine that the new recruits of the northern States should be rendezvoused there, and I presume you received such instructions from General Dearborn. In the meantime we have been obliged to make several detachments of militia to points on that line. This is irksome to them, expensive, troublesome, and less efficacious. Understanding that there are three companies of new recruits filled, or nearly filled, at New York, I must pray you to order these, and indeed all the recruits of the State of New York, to Sackett's Harbor, Oswegatchie, and Plattsburgh, in equal proportions to each, in order to support the collectors in the execution of their duties, and this without any avoidable delay, giving notice to Governor Tompkins of their march and time of probable arrival at their destination, that he may give corresponding orders respecting the relief of the militia. I salute you with esteem and respect.

TO THE SECRETARY OF THE TREASURY (ALBERT GALLATIN).

MONTICELLO, August 30, 1808.

DEAR SIR,— * * * * * *

Mr. Madison and myself on repeated consultations, (and some of the other members of the executive

expressed the same opinion before they left Washington,) have concluded that the mission to Petersburgh should not be delayed. Being special, and not permanent, the waiting the meeting of the Senate is less important, and, if we waited, that it could not go till spring, and we know not what this summer and the ensuing winter may produce. We think secrecy also important, and that the mission should be as little known as possible, till it is in Petersburgh, which could not be, if known to the Senate. Mr. Short goes therefore in the aviso from Philadelphia, to be engaged for September 15th. He is peculiarly distressed by sickness at sea, and of course more so the smaller the vessel. I think, therefore, the occasion justifies the enlargement of our vessel somewhat beyond what might be necessary for a mere aviso. The season, too, by the time of her return, might render it desirable for safety, which circumstance may be mentioned in your instructions to the collector, to prevent his suspicions of the real ground. I salute you with affection and respect.

TO THE SECRETARY OF STATE (JAMES MADISON).

MONTICELLO, September 5, 1808.

DEAR SIR,—The last post brought me the counter addresses now enclosed. That from Ipswich is signed by about forty persons; the town meeting which voted the petition consisted of thirty. There

are 500 voters in the place. The counter address of Boston has 700 signatures. The town meeting voting the petition is said to have consisted of 500. In the draught of an answer enclosed, I have taken the occasion of making some supplementary observations which could not with propriety have been inserted in the answers to the petitions. The object is that the two together may present to our own people the strongest points in favor of the embargo in a short and clear view. An eye is also kept on foreign nations, in some of the observations. Be so good as to make it what it should be, and return it by the first post. * * * * * * *

I salute you with constant and sincere affection.

TO THE SECRETARY OF WAR (HENRY DEARBORN).

MONTICELLO, September 5, 1808.

DEAR SIR,—Yours of August 18th is this moment received, and I forward you a letter of July 16th, from Governor Lewis, from which you will perceive that the cloud between us, the Iowas, Foxes, and Sacs, is cleared up. He says nothing of the Osages; but I presume their enemies have taken advantage of the withdrawing our protection from them. Should you not have issued orders for the 100,000 men, I believe it may rest till we meet in Washington, under present appearances, that they may not be wanting. Mr. Pinckney, in a letter of June 29th,

says, "I had a long interview this morning with Mr. Canning, which has given me hopes that the object[1] mentioned in your letter of April 30th may be accomplished, if I should authorize the expectation which the same letter[2] suggests." He adds that he waits for the St. Michael, when he will give the result and details. He thinks they will also make acceptable satisfaction for the Chesapeake. Proposing to leave this on the 28th, I presume I had better reserve future communications for our meeting at Washington.

I salute you with constant affection and respect.

TO THE SECRETARY OF STATE (JAMES MADISON).

MONTICELLO, September 6, 1808.

DEAR SIR,—I return you Pinckney's letter, the complexion of which I like. If they repeal their orders, we must repeal our embargo. If they make satisfaction for the Chesapeake, we must revoke our proclamation, and generalize its operation by a law. If they keep up impressments, we must adhere to non-intercourse, manufacturers' and a navigation act. I enclose for your perusal a letter of Mr. Short's. I inform him that any one of the persons he names would be approved, the government never recogniz-

[1] Repeal of the orders of council.
[2] Repeal of the embargo.

ing a difference between the two parties of republicans in Pennsylvania. * * * * *

I salute you with constant affection.

TO WILLIAM SHORT.

MONTICELLO, September 6, 1808.

DEAR SIR,—I avail myself of the last moment allowed by the departure of the post to acknowledge the receipt of your letters of the 27th and 31st ultimo, and to say in answer to the last, that any one of the three persons you there propose would be approved as to their politics, for in appointments to office the government refuses to know any difference between descriptions of republicans, all of whom are in principle, and co-operate, with the government. Biddle we know, and have formed an excellent opinion of him. His travelling and exercise in business must have given him advantages. I am much pleased with the account you give of the sentiments of the federalists of Philadelphia as to the embargo, and that they are not in sentiment with the insurgents of the north. The papers have lately advanced in boldness and flagitiousness beyond even themselves. Such daring and atrocious lies as fill the third and fourth columns of the third page of the United States Gazette of August 31st, were never before, I believe, published with impunity in any country. However, I have from the beginning determined to submit

myself as the subject on whom may be proved the impotency of a free press in a country like ours, against those who conduct themselves honestly and enter into no intrigue. I admit at the same time that restraining the press *to truth*, as the present laws do, is the only way of making it useful. But I have thought necessary first to prove it can never be dangerous. Not knowing whether I shall have another occasion to address you here, be assured that my sincere affections and wishes for your success and happiness accompany you everywhere.

TO THE SECRETARY OF THE TREASURY (ALBERT GALLATIN).

MONTICELLO, September 9, 1808.

DEAR SIR,—Your two letters of the 2d instant were read yesterday afternoon, and I now return you Penniman's and Gray's papers, and the New Orleans petition. Penniman's conduct deserves marked approbation, and there should be no hesitation about the expenses reasonably incurred. If all these people are convicted, there will be too many to be punished with death. My hope is that they will send me full statements of every man's case, that the most guilty may be marked as examples, and the less so suffer long imprisonment under reprieves from time to time.

Packet between Vermont and Canada.

I do not think this is a time for opening new channels of intercourse with Canada, and multiplying the means of smuggling, and am therefore against this proposition.

Mr. Gray's Case.

His late rational and patriotic conduct would merit any indulgence consistent with our duty; but the reason and the rule against permitting long voyages at present, are insurmountable obstacles. It is to be hoped some circuitous means of sending his proofs can be found. A vessel may go from England as well as from here.

New Orleans Petition.

You know I have been averse to letting Atlantic flour go to New Orleans merely that they may have the *whitest* bread possible. Without honoring the motives of the petition, it gives us the fact that there is western flour enough for the New Orleans market. I would therefore discourage Atlantic cargoes to that place.

I send you the petition of Thomas Beatty for Samuel Glen, of Londonderry, for permission to load a vessel for Ireland. Mr. Beatty met me in the road in one of my daily rides. I gave his paper a hasty perusal, and, asking time for consideration, I told him I would enclose it to you, who would give the answer. On a more deliberate reading of it, I

see nothing to exempt it from the general rules, according to which you will be so good as to dispose of it.

The cases from Charleston require consideration, and our regular post gives me, in fact, but one forenoon to answer letters. I will forward them to Mr. Theus by our extra post of the 13th.

I salute you with friendship and respect.

TO SIMEON THEUS, ESQ.

MONTICELLO, September 10, 1808.

SIR,—According to the request of Mr. Gallatin's letter, herewith enclosed, I have considered the petitions of Grove, Himeley, Everingham, and Ogier & Turner, referred to me by him, and forward you the decisions for your government. They are addressed to yourself directly to avoid unnecessary delay to the parties by passing them through him, as regularly they should have been.

Grove's Case.

Although the circular of the 1st of July limited no precise day for the departure of vessels under permits, yet in all such cases, a reasonable time only is to be understood, such as using due diligence, will suffice for the object. Such regulations can never be deemed but as temporary, and especially in times when the political circumstances governing them are liable to daily change. The time between the receipt

at Charleston, of the circulars of July 1st and August 1st, was from the 19th or 20th of July to the 16th of August,—twenty-seven days; and within this time Mr. Grove states explicitly that he had prepared and cleared out the ship Pierce Manning, for the Havana, and that she would have sailed before the 16th of August but for adverse winds. Considering, therefore, that the limitation of departure to the 15th of August was not known at Charleston till the 16th, so that not a moment's warning was given of it there, I think that, satisfactory proof being exhibited to the collector, that she was ready for sailing, or even very nearly ready on the 16th of August, she may now be permitted to depart, on condition that she does depart within such time as the state of her preparation, somewhat of course relaxed during the suspension, may in the judgment of the collector render necessary.

The reasons for originally limiting a day, increased by time require the exaction of this condition.

Himeley's Case.

This petition has no date; but it imports to have been written on the day of the receipt of the circular of August 1st at Charleston, and consequently on the 16th of August. It affirms that the brig Three Brothers, for Matanzas, then had on board the crew and necessary provisions, and assigns a probable reason why she could not have been ready sooner. For the reasons, and on the conditions stated in

Grove's case, (that is to say, on proof of the facts to the collector, and her prompt departure,) she ought to have a permit.

Everingham's Case.

I put entirely out of sight, as having no bearing on this case, everything which passed prior to the receipt of the circular of July 1st, and consider the case as beginning *de novo* then, and under that circular. The petitioner declares expressly that on the publication of that circular, (July 20th,) he used every exertion to prepare the ship Diana for a voyage to the Havana, and had *just prepared her* therefor when the circular of August 1st was received. The expression *just prepared*, is not absolutely definite. It may respect time or degree. It implies, however, that she was *very nearly*, if not quite, prepared. And if the collector receives satisfactory proof that he was *nearly prepared*, although she might not be in absolute readiness at the first moment of receiving the warning, and on the conditions stated in Grove's case.

The case of the schooner James is very different. The petitioner only states that he had *applied* to the collector, and obtained leave prior to August 1st,—had *begun* to use exertions, etc., and had *ordered* her to be careened and graved, etc., when the circular of August 1st arrived, to wit, August 16th, twenty-seven days had therefore intervened, and nothing more than an *order* given to careen. In the other cases we have seen that the twenty-seven days were

sufficient to be in a state of actual readiness, even where a part of the loading was to be sent for from another State. No permit, therefore, can be granted in this case.

Ogier & Turner's Case.

The petitioners state that Ogier had time, after the receipt of the circular of July 1st, to *prepare and despatch* one vessel; but that they were only *preparing* other vessels when the second circular was received, to wit, August 16th, whereupon the collector refused to let them despatch the vessels which they had been *preparing* as aforesaid. A due diligence then having enabled them to despatch one vessel in the twenty-seven days, a like diligence, had it been used, might have despatched others. But from the tenor of their petition, the preparations of the others seem to have been merely incipient, and not near completion. They have consequently lost the claims on that equity which extends relief against rigorous rules, where due exertions have been used to fulfil them, and have been defeated only by accidental and unavoidable want of notice. They are not entitled to permits in this case.

TO THE SECRETARY OF STATE (JAMES MADISON).

MONTICELLO, September 13, 1808.

DEAR SIR,—I send you a letter of Short's for perusal, and one of Edgar Patterson, asking what is

already I presume provided for, and one of General Armstrong, which I do not well understand, because I do not recollect the particular letter which came by Haley. I presume the counsel he refers to is to take possession of the Floridas. This letter of June 15th is written after the cession by Carlos to Bonaparte of all his dominions, when he supposed England would at once pounce on the Floridas as a prey, or Bonaparte occupy it as a neighbor. His next will be written after the people of Spain will have annihilated the cession, England become the protector of Florida, and Bonaparte without title or means to plant himself there as our neighbor.

Ought I to answer such a petition as that of Rowley? The people have a right to petition, but not to use that right to cover calumniating insinuations.

Turreau writes like Armstrong so much in the buskin, that he cannot give a naked fact in an intelligible form. I do not know what it is he asks for. If a transport or transports to convey sailors, there has been no refusal; and if any delay of answer, I presume it can be explained. If he wishes to buy vessels here, man them with French seamen, and send them elsewhere, the breach of neutrality would be in permitting, not in refusing it. But have we permitted this to England? His remedy is easy in every case. Repeal the decrees. I presume our Fredericksburg rider need not come after his next trip. I salute you affectionately.

TO THE SECRETARY OF THE NAVY
(JACOB CROWNINSHIELD).

MONTICELLO, September 16, 1808.

DEAR SIR,—You will perceive by the enclosed papers that an aggression has been committed on the Spanish territory by, (if I understand the case,) both our land and sea officers. I enclose the papers to you that the necessary orders may be given in your department, and the papers handed on to the War department that the same may be done there. I suppose it will suffice for the present to order the men to be immediately given up, and the officers given to understand that the conduct of those who committed it will become a subject of consideration for the Cabinet on its re-assembling at Washington, and that we will not permit aggressions to be committed on our part, against which we remonstrated to Spain on her part.

I expect to be in Washington on the last day of September, or 1st of October. I salute you with affection and respect.

TO THE SECRETARY OF THE TREASURY
(ALBERT GALLATIN).

MONTICELLO, September 20, 1808.

DEAR SIR,—Yours of September 10th and 14th were received yesterday, and my time being brief, my answer must be so.

Brig Betsey, and the Aurora.

The first having put back by stress of weather, and inevitable necessity, ought, I think, to be permitted to sail again; but not to the Aurora, which put back merely because the captain was a fool. They have lost their chance by their own folly, and have no claim to be excepted out of the general rule. If you concur in these opinions be so good as to act on them; but if you think differently, let them lie till we meet, which will probably be within two or three days after you receive this.

Mr. Soderstrom.

His application is peremptorily refused, and his lawyer's opinions are sent to Mr. Madison, that he may be properly reprimanded. For a foreign agent, addressed to the Executive, to embody himself with the lawyers of a faction whose sole object is to embarrass and defeat all the measures of the country, and by their opinions, known to be always in opposition, to endeavor to influence our proceedings is a conduct not to be permitted. The government will certainly decide for itself on whose counsel they will settle the construction of the laws they are to execute. We are to look at the intention of the Legislature, and to carry it into execution while the lawyers are nibbling at the words of the law. It is well known that on every question the lawyers are about equally divided, as is seen in the present case, and

were we to act but in cases where no contrary opinion of a lawyer can be had, we should never act. I send White's petition for better information, to be acted on when we meet. Affectionate salutations.

TO ALBERT GALLATIN.

WASHINGTON, October 14, 1808.

As we know that Sullivan's licenses have overstocked the wants of the eastern States with flour, the proposal to carry more there is of itself suspicious, and therefore even regular traders ought not to be allowed. The regular trade was to supply flour for exportation as well as consumption. If the rule of the sixth (or eighth, I believe,) is extended to them, the supply will be kept up sufficiently for consumption. The rule of the sixth is a good one, because if the vessel goes off, the gain will not be more than the loss by forfeiture, which in that case becomes an efficient penalty. If they wish to take more, it furnishes good grounds of suspicion that they mean to pay the forfeitures out of the gains, and to profit by the surplus. I should think it ought to be adhered to, and that the collectors should consider it as a rule to regulate their discretion, and to give equal measure in all our posts to all our citizens.

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TO ROBERT R. LIVINGSTON.

WASHINGTON, October 15, 1808

SIR,—Your letter of September the 22d waited here for my return, and it is not till now that I have been able to acknowledge it. The explanation of his principles given you by the French Emperor, in conversation, is correct as far as it goes. He does not wish us to go to war with England, knowing we have no ships to carry on that war. To submit to pay to England the tribute on our commerce which she demands by her orders of council, would be to aid her in the war against him, and would give him just ground to declare war with us. He concludes, therefore, as every rational man must, that the embargo, the only remaining alternative, was a wise measure. These are acknowledged principles, and should circumstances arise which may offer advantage to our country in making them public, we shall avail ourselves of them. But as it is not usual nor agreeable to governments to bring their conversations before the public, I think it would be well to consider this on your part as confidential, leaving to the government to retain or make it public, as the general good may require. Had the Emperor gone further, and said that he condemned our vessels going voluntarily into his ports in breach of his municipal laws, we might have admitted it rigorously legal, though not friendly. But his condemnation of vessels taken on the high seas, by his privateers,

and carried involuntarily into his ports, is justifiable by no law, is piracy, and this is the wrong we complain of against him.

Supposing that you may be still at Clermont, from whence your letter is dated, I avail myself of this circumstance to request your presenting my friendly respects to Chancellor Livingston. I salute you with esteem and respect.

TO ALBERT GALLATIN.

WASHINGTON, October 16, 1808.

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Massey's Commission. — A half-sighted lawyer might, perhaps, say that a commission signed with a blank for the name,—afterwards filled up, was a nullity, because, in legal instruments, any change in a material part of a bond, deed, etc., after sealing and delivery, nullifies it. But I am not certain whether there are not cases, even in ordinary transactions at law, where it is otherwise,—*e. g.*, a power of attorney sent to a distance, with a blank for the name, a blank commission, a blank subpœna, etc. But in matters of government, there can be no question but that the commission sealed and signed, with a blank for the name, date, place, etc., is good; because government can in no country be carried on without it. The most vital proceedings of our own government would become null were such a construction to prevail, and the *argumentum ab*

inconvenienti, which is one of the great foundations of the law, will undoubtedly sustain the practice, and sanction it by the maxim "*qui facit per alterum, facit per se.*" I would not therefore give the countenance of the government to so impracticable a construction by issuing a new commission. Affectionate salutations.

TO GEORGE BLAKE, ESQ.

WASHINGTON, October 17, 1808.

SIR,—However favorably the enclosed papers represent the case of Alexander Frost, yet it would be against every rule of prudence for me to undertake to revise the verdict of a jury on *ex parte* affidavits and recommendations. If the judges and yourself who were present at the trial think the defendant a proper object of pardon, I shall be ready, on such a recommendation, to issue it. I ask the favor of your information on this subject, and salute you with esteem and respect.

TO ALBERT GALLATIN.

WASHINGTON, October 18, 1808.

I think that none of the circumstances, preceding the passage of the embargo law, stated by Mr. Lorent, make any part of his case. The misfortunes entering into the preceding history of that property, not flowing from any act of this government, authorizes no

claims on it. The embargo law excepted from its own operation articles then laden on board a foreign ship, without distinguishing between articles of foreign or national property. It subjected to its operation all articles, whether foreign or national property, not then laden on board any foreign ship. Mr. Lorent's property was not then laden on board of any foreign ship, is therefore within the words of the law, and as certainly within its purview. It is not one of those cases which, though within the *words* of the law, were notoriously not within its intention, and are therefore relievable by an equitable exercise of discretionary power. Affectionate salutations.

TO ROBERT SMITH.

WASHINGTON, October 19, 1808.

I enclose you a petition of the widow Bennet for the liberation of her son at Boston, a minor, or for a moiety of three months' pay, to enable her to go to another son. I think when her case was formerly before us, she was said to be a woman of ill fame, and that her son did not wish to return to her. Still, however, the mother, if there be no father, is the natural guardian, and is legally entitled to the custody and the earnings of her son. If she were to make her demand legally for both or either, she would prevail. May it not be for the benefit of the son and of the service, to compromise by paying the

sixteen dollars, and taking a regular relinquishment or transfer of her rights to the body of her son, and his earnings in future, so that we may have no more to do with her? This is referred to Mr. Smith's consideration. Affectionate salutations.

TO ALBERT GALLATIN.

WASHINGTON, October 19, 1808.

Is the case proposed by Mr. Wolcott left by the law at the discretion of anybody? The law makes it the duty of the Collector to detain if he *suspects* an intention to export to a foreign market, *a fortiori* if that intention be *avowed*. It is true that the first step proposed is only to go to another district, but declared to be preparatory to an exportation to the West Indies. It is true also that they say they do not mean to export until the law is repealed. But ought we under that cover to facilitate those illegal views which our experience has proved to be so general? Still, if there be any sound ground on which the permission can be given, I would rather make it the subject of consultation with you, than to have the present understood to be a final decision. Affectionate salutations.

TO JAMES MAIN.

WASHINGTON, October 19, 1808.

SIR,—Your favor of the 10th has been duly received. Certainly I would with great pleasure

contribute anything in my power to render the history you propose to write a faithful account of the period it will comprehend. Nothing is so desirable to me, as that after mankind shall have been abused by such gross falsehoods as to events while passing, their minds should at length be set to rights by genuine truth. And I can conscientiously declare that as to myself, I wish that not only no act but no thought of mine should be unknown. But, Sir, my other and more imperious duties put it out of my power. So totally is my time engrossed by the public concerns, that for mere want of time, many of them which I ought to attend to myself, if my time sufficed, I am obliged, for want of it, to refer to others. To withdraw myself from still more of them for any voluntary object would be a failure in duty. If you shall think proper, as you say, to commit to me the perusal of the manuscript before it goes to the press, I shall then probably be in a private station, and master of my own time, and I will carefully examine, and faithfully offer any corrections or supplements which I may think will render it a true representation of events. I salute you with esteem and respect.

TO CAPTAIN MATTHEW C. GROVES.

WASHINGTON, October 19, 1808.

SIR,—Your two letters of the 11th instant have been received, and I am obliged to observe that so

wholly do the indispensable duties of my office engross my whole time, that I could not give a deliberate reading to two letters so voluminous as these, and not relating to my particular functions, without withdrawing time from objects having stricter claims on me. I have run over them hastily, and perceive that you are still engaged in the pursuit of the method of finding the longitude at sea by an observation of Jupiter and his satellites, brought to the horizon by a double reflection, as in Hadley's quadrant. That you have written a play to raise funds for prosecuting this, and wish me to circulate a subscription for it and print your letters. I will willingly subscribe myself for a number of copies to help you, but I have never permitted myself to be the circulator of any subscription, or to have agency in printing anything, conceiving it improper in my present office. And however wishful of your success in raising funds, I confess I should think them better applied to the comfort of your family. After so many better opinions it may be superfluous to offer mine. Yet justified by my friendly motives in doing so, I will observe, that to get the longitude at sea by observation of the eclipses of Jupiter's satellites, two desiderata are wanting: 1st, a practicable way of keeping the planet and satellite in the field of a glass magnifying sufficiently to show the satellites; 2d, a time-piece which will give the instant of time with sufficient accuracy to be useful. The bringing the planet and satellite to

the horizon does not sensibly facilitate the observation, because the planet in his ascending and descending course is at such heights as admit the direct observation with entire convenience. On the other hand, so much light is lost by the double reflection as to dim the objects and lessen the precision with which the moment of ingress and egress may be marked. This double reflection also introduces a new source of error from the inaccuracy of the instrument; 2d, the desideratum of a time-piece which, notwithstanding the motion of the ship, shall keep time during a whole voyage with sufficient accuracy for these observations, has not yet been supplied. Fine time-keepers have been invented, but not equal to what is requisite, all of them deriving their motion from a spring, and not from a pendulum. Indeed these pursuits have lost much of their consequence since the improvement of the lunar tables has given the motion of the moon so accurately, as to make that a foundation for estimating the longitude by her relative position at a given moment with the sun or fixed stars. Every captain of a ship now understands the method of taking these lunar observations, and of calculating his longitude by them.

I have gone into these details with the most friendly view of dissuading you from wasting time, which you represent as so much needed for your family, in a pursuit which has baffled every human endeavor as yet, and has lost so much of its importance. I return you your letters, because you wish

to have them published, and conclude with my best wishes for the success of your endeavors to raise the funds you desire, and for the application of them which shall be best for yourself and your family.

TO ALBERT GALLATIN.

WASHINGTON, October 21, 1808.

The Case of the Martinique Petitioners.

I think it wrong to detain foreigners caught here by the embargo; but in permitting them to take our vessels to return in, we do what is a matter of favor, not of right. Of course we can restrict them to a tonnage proportioned to their numbers. In the transport service I believe the allowance is two tons to every person. We may allow a little more room; but there ought to be an end to this, and I think it high time to put an end to it. What would you think of advertising that after a certain day, no American vessel will be permitted to go out for the purpose of carrying persons? Perhaps this should be communicated by the Secretary of State to the foreign ministers.

* * * * * * * * *

Fronda states that a proprietor of Amelia Island, in Florida, shipped his crop for a foreign port on board an American vessel. The vessel was taken by the Argus, carried into Savannah, and condemned for a breach of the embargo laws, the cargo pronounced clear. Probably the vessel had left our

harbors without a clearance, though that is not stated, nor the cause of her condemnation specified. Permission is asked to send away the cargo. If the Spanish proprietor had no agency in drawing the vessel away contrary to the embargo laws, his employment of her was innocent, and he ought to be permitted to send his cargo out; because for us to take his property and bring it in by force, and against his will, and then to detain it under pretext of an embargo, would be equivalent to piracy or war. A vessel driven involuntarily into a port by weather, or an enemy, with prohibited goods, is always allowed to depart, and even to sell as much of the goods as will make the vessel sea-worthy, if disabled. I do not know, however, that in the present case we are bound to do any more than let one of our vessels be engaged to replace the cargo in Amelia Island, and certainly we ought not to let it go to any distant port; but if the proprietor enticed or engaged the vessel to break the embargo law, he was *particeps criminis*, and must submit to the loss which he has brought on himself. I send you Fronda's note, which should be returned to Mr. Madison, with information of the order you shall give for inquiring into the facts, and permission or refusal as they shall turn out. Affectionate salutations.

TO THOMAS COOPER, ESQ.

WASHINGTON, October 27, 1808.

DEAR SIR,—When I received your letter of the 16th, I thought I had not a copy of my report on measures, weights, and coins, except one bound up in a volume with other reports; but on carefully searching a bundle of duplicates, I found the one I now enclose you, being the only detached one I possess. It is defective in one article. The report was composed under a severe attack of periodical headache, which came on every day at sunrise, and never left me till sunset. What had been ruminated in the day under a paroxysm of the most excruciating pain, was committed to paper by candlelight, and then the calculations were made. After delivering in the report, it was discovered that in calculating the money unit § 5 page 49, there was a small error in the third or fourth column of decimals, the correction of which however brought the proposed unit still nearer to the established one. I reported the correction in a single leaf to Congress. The copy I send you has not that leaf.

The first question to be decided is between those who are for units of measures, weights, and coins, having a known relation to something in nature of fixed dimension, and those who are for an arbitrary standard. On this "*dice vexata quaestio*" it is useless to say a word, every one having made up his mind on a view of all that can be said. Mr.

Dorsey was so kind as to send me his pamphlet, by which I found he was for the arbitrary standard of one-third of the standard yard of H. G. of England, supposed to be in the Exchequer of that nation, a fac simile of which was to be procured and lodged in Philadelphia. I confess myself to be of the other sect, and to prefer an unit bearing a given relation to some fixed subject of nature, and of preference to the pendulum, because it may be in the possession of every man, so that he may verify his measures for himself. You will observe that I proposed alternative plans to Congress, that they might take the one or the other, according to the degree of courage they felt. The first is from page 18 to 38; the second from page 39 to 44. Were I now to decide, it would be in favor of the first, with this single addition, that each of the denominations there adopted, should be divisible decimally at the will of every individual. The iron-founder deals in tons; let him take the ton for his unit, and divide it into 10ths, 100ths, and 1000ths. The dry-goods merchant deals in pounds and yards; let him divide them decimally. The land-measurer deals in miles and poles; divide them decimally, only noting over his figures what the unit is, thus: Tons. 18.943, Lbs. 18.943, Yds. 1.8943, Miles. 189.43, etc. I have lately had a proof how familiar this division into dimes, cents, and mills, is to the people when transferred from their money to anything else. I have an odometer fixed to my carriage,

which gives the distances in miles, dimes, and cents. The people on the road inquire with curiosity what exact distance I have found from such a place to such a place; I answer, so many miles, so many cents. I find they universally and at once form a perfect idea of the relation of the cent to the mile as an unit. They would do the same as to yards of cloth, pounds of shot, ounces of silver, or of medicine. I believe, therefore, they are susceptible of this degree of approximation to a standard rigorously philosophical; beyond this I might doubt. However, on this too, every one has an opinion, and I am open to compromise, as I am also to other plans of reformation, of which multitudes have been published. I can conclude, therefore, candidly with the "*si quid novisti rectius*," etc., and sincerely with assurances of my constant esteem and respect.

TO DOCTOR JAMES BROWN.

WASHINGTON, October 27, 1808.

DEAR SIR,—You will wonder that your letter of June the 3d should not be acknowledged till this date. I never received it till September the 12th, and coming soon after to this place, the accumulation of business I found here has prevented my taking it up till now. That you ever participated in any plan for a division of the Union, I never for one moment believed. I knew your Americanism too well. But as the enterprise against Mexico was

of a very different character, I had supposed what I heard on that subject to be possible. You disavow it; that is enough for me, and I forever dismiss the idea. I wish it were possible to extend my belief of innocence to a very different description of men in New Orleans; but I think there is sufficient evidence of there being there a set of foreign adventurers, and native malcontents, who would concur in any enterprise to separate that country from this. I did wish to see these people get what they deserved; and under the maxim of the law itself, that *inter arma silent leges*, that in an encampment expecting daily attack from a powerful enemy, self-preservation is paramount to all law, I expected that instead of invoking the forms of the law to cover traitors, all good citizens would have concurred in securing them. Should we have ever gained our Revolution, if we had bound our hands by manacles of the law, not only in the beginning, but in any part of the revolutionary conflict? There are extreme cases where the laws become inadequate even to their own preservation, and where the universal resource is a dictator, or martial law. Was New Orleans in that situation? Although we knew here that the force destined against it was suppressed on the Ohio, yet we supposed this unknown at New Orleans at the time that Burr's accomplices were calling in the aid of the law to enable them to perpetrate its suppression, and that it was reasonable, according to the state of information there, to act

on the expectation of a daily attack. Of this you are the best judge.

Burr is in London, and is giving out to his friends that that government offers him two millions of dollars the moment he can raise an ensign of rebellion as big as a handkerchief. Some of his partisans will believe this, because they wish it. But those who know him best will not believe it the more because he says it. For myself, even in his most flattering periods of the conspiracy, I never entertained one moment's fear. My long and intimate knowledge of my countrymen, satisfied and satisfies me, that let there ever be occasion to display the banners of the law, and the world will see how few and pitiful are those who shall array themselves in opposition. I as little fear foreign invasion. I have indeed thought it a duty to be prepared to meet even the most powerful, that of a Bonaparte, for instance, by the only means competent, that of a classification of the militia, and placing the junior classes at the public disposal; but the lesson he receives in Spain extirpates all apprehensions from my mind. If, in a peninsula, the neck of which is adjacent to him and at his command, where he can march any army without the possibility of interception or obstruction from any foreign power, he finds it necessary to begin with an army of three hundred thousand men, to subdue a nation of five millions, brutalized by ignorance, and enervated by long peace, and should find constant reinforcements of thousands after thou-

sands, necessary to effect at last a conquest as doubtful as deprecated, what numbers would be necessary against eight millions of free Americans, spread over such an extent of country as would wear him down by mere marching, by want of food, autumnal diseases, etc.? How would they be brought, and how reinforced across an ocean of three thousand miles, in possession of a bitter enemy, whose peace, like the repose of a dog, is never more than momentary? And for what? For nothing but hard blows. If the Orleanese Creoles would but contemplate these truths, they would cling to the American Union, soul and body, as their first affection, and we should be as safe there as we are everywhere else. I have no doubt of their attachment to us in preference of the English.

I salute you with sincere affection and respect.

TO ———.

WASHINGTON, October 28, 1808.

SIR,—I thank you for the copy of General Kosciusko's treatise on the flying artillery. It is a branch of the military art which I wish extremely to see understood here, to the height of the European level. Your letter of September 20th was received in due time. I never received the letter said to have been written to me by Mr. Malesherbes, in favor of Mr. Masson. The fact of such a letter having been written by Mr. Malesherbes, is sufficient ground for

my desiring to be useful to Mr. Masson on any occasion which may arise. No man's recommendation merits more reliance than that of M. de Malesherbes. The state and interest of the military academy shall not be forgotten. I salute you with esteem and respect.

TO GOVERNOR W. C. C. CLAIBORNE.

WASHINGTON, October 29, 1808.

SIR,—I send the enclosed letter under the benefit of your cover, and open, because I wish you to know its contents. I thought the person to whom it is addressed a very good man when here,—he is certainly a very learned and able one. I thought him peculiarly qualified to be useful with you. But in the present state of my information, I can say no more than I have to him. When you shall have read the letter, be so good as to stick a wafer in it, and not let it be delivered till it is dry, that he may not know that any one but himself sees it. The Spanish paper you enclosed me is an atrocious one. I see it has been republished in the Havana. The truth is that the patriots of Spain have no warmer friends than the administration of the United States, but it is our duty to say nothing and to do nothing for or against either. If they succeed, we shall be well satisfied to see Cuba and Mexico remain in their present dependence; but very unwilling to see them in that of either France or England, politically or commercially.

We consider their interests and ours as the same, and that the object of both must be to exclude all European influence from this hemisphere. We wish to avoid the necessity of going to war, till our revenue shall be entirely liberated from debt. Then it will suffice for war, without creating new debt or taxes. These are sentiments which I would wish you to express to any proper characters of either of these two countries, and particularly that we have nothing more at heart than their friendship. I salute you with great esteem and respect.

TO ALBERT GALLATIN.

WASHINGTON, November 3, 1808.

A press of business here prevented my sooner taking up the three bundles of papers now returned; and even now I judge of them from the brief you have been so good as to make so fully. This is an immense relief to me.

The Wabash Saline.

I think the applications from Nashville, etc., for a share of the salt had better not be complied with. I suspect we did wrong in yielding a similar privilege to Kentucky. There would be no end to the details of the partitionary plan, and it will only shift the gains into other hands, adding the unavoidable inequalities of distribution. Better leave the distribution to its former and ordinary course, and the

benefits will taper off from the centre till lost by distance.

Indiana Lead Mines.

I think it would be well to authorize Governor Harrison to lease them to the present applicants,—the former ones declining.

Intrusions on Public Lands.

I suspect you have partly forgotten what was agreed on the other day. 1. Notice was agreed to be given by a register to be appointed to all intruders on the Tennessee purchase, to disclaim or remove; and *in the spring* troops are to be sent to remove all non-compliers. Those on the Indian lands (except Doubleheads) to be absolutely removed without the privilege of disclaimer. 2. As to the intruders on Red River, we agreed to leave them and get Congress to extend the land law to them.

I think it will be better you should write to Governor Williams about the appointment of officers. Things casually incidental to a main business belonging to another department, had better be made the subject of a single instruction. I am sure the Secretary of State will thank you to take the trouble. Affectionate salutations.

TO GENERAL HENRY DEARBORN.

WASHINGTON, November 5, 1808.

I enclose you a charge by Mr. Hanson against Captain Smith and Lieutenants Davis and Dobbins

of the militia, as having become members of an organized company, calling themselves the Tar Company, avowing their object to be the tarring and feathering citizens of some description. Although in some cases the animadversions of the law may be properly relied on to prevent what is unlawful, yet with those clothed with authority from the executive, and being a part of the executive, other preventives are expedient. These officers should be warned that the executive cannot tamely look on and see its officers threaten to become the violators instead of the protectors of the rights of our citizens. I presume, however, that all that is necessary will be that their commanding officer, (General Mason,) finding the fact true, should give them a *private* admonition, either written or verbal, as he pleases, to withdraw themselves from the illegal association; at the same time I would rather it should be stated to General Mason only "that information has been received," etc., without naming Mr. Hanson as the informer. My reason is that some disagreeable feuds have arisen at the Navy Yard which I would rather allay than foment. No proof will be necessary to be called for; because if the officers disavow the fact, it will be a proof they have that sense of propriety to which only an admonition would be intended to bring them. I salute you with constant affection.

TO HIS EXCELLENCY GOVERNOR CHARLES PINCKNEY.

WASHINGTON, November 8, 1808.

DEAR SIR,—I have to acknowledge the receipt of your two letters September 10th and of blank date, probably about the middle of October, and to thank you for the communications therein made. They were handed to the two persons therein named. I seize the first moment it is in my power to answer your question as to our foreign relations, which I do by enclosing you a copy of my message this moment delivered to the two houses of Congress, in which they are fully stated. It is evident we have before us three only alternatives; 1, embargo; 2, war; 3, submission and tribute. This last will at once be put out of question by every American, and the two first only considered. By the little conversation I have had with the members, I perceive there will be some division on this among the republicans; but what will be its extent cannot be known till they shall have heard the message and documents, and had some days to confer and make up their opinions. Being now all in the hurry and bustle of visits and business, incident to the first days of the meeting, I must here close with my salutations of friendship and respect.

TO MR. LETUE.

WASHINGTON, November 8, 1808.

SIR,—I have to acknowledge the receipt of your favor of October 14th, and to thank you for the infor-

mation it contained. While the opposition to the late laws of embargo has in one quarter amounted almost to rebellion and treason, it is pleasing to know that all the rest of the nation has approved of the proceedings of the constituted authorities. The steady union which you mention of our fellow citizens of South Carolina, is entirely in their character. They have never failed in fidelity to their country and the republican spirit of its constitution. Never before was that union more needed or more salutary than under our present crisis. I enclose you my message to both houses of Congress, this moment delivered. You will see that we have to choose between the alternatives of embargo and war; there is indeed one and only one other, that is submission and tribute. For all the federal propositions for trading to the places permitted by the edicts of the belligerents, result in fact in submission, although they do not choose to pronounce the naked word. I do not believe, however, that our fellow citizens of that sect with you will concur with those to the east in this parricide purpose, any more than in the disorganizing conduct which has disgraced the latter. I conclude this from their conduct in your legislature in its vote on that question. Accept my salutations and assurances of respect.

TO HIS EXCELLENCY GOVERNOR WILLIAM H. CABELL.

WASHINGTON, November 13, 1808.

DEAR SIR,—Between three and four years ago, I received the enclosed petitions praying for the pardon or the enlargement of Thomas Logwood, then and still confined in the penitentiary of Richmond, for counterfeiting the bank notes of the United States. I consulted Governor Page on the subject, who, after conferring with his council, informed me that though he was for a pardon himself, he found a division of opinion on the question, and therefore could not advise it. Between three and four years have since been added to his confinement, and if his conduct during that time has been such as to lessen his claims to a mitigation of his sentence, they must certainly stand now on higher ground, and the more so as two of his accomplices confined here, have by a very general wish been pardoned more than a year ago. Will you be so good as to give me your opinion on the subject, as you are in a situation to know what his conduct has been? His wife is represented as a very meritorious character, and her connections respectable; probably they may be known to you. His neighbors, you will observe, ask his restoration to them. Whether would it be best to pardon him absolutely, or on condition of giving security for his good behavior? or shall we open the prison door and let him go out, notifying him that if he will continue on his own farm or those next adjoining, and keep

himself from all suspicious intercourse and correspondence, he will not be molested; otherwise, that he will be retaken and replaced in his present situation? Your advice on this subject will much oblige me. I salute you with great esteem and respect.

TO ALBERT GALLATIN.

WASHINGTON, November 13, 1808.

1st. The ship Aurora, Captain Rand. Provisions, lumber and naval stores being the articles on which we rely most for effect during our embargo. Rand's landing, as to the great mass of its articles, seems not to render his case suspicious. Keeping therefore the articles of provisions, lumber and naval stores, within their regular limits, I see no objection to a permit in the character of his cargo; and the objection drawn from his dislike and disapprobation of the embargo, has never been considered as an obstacle where the person has not actually been guilty of its infraction. I think a permit should be granted under the regular limitations as to the proportion of provisions, etc.

2d. The schooner Concord, property of John Bell of Petersburg. Wherever a person has once been guilty of breaking the embargo laws, we can no longer have confidence in him, and every shipment made by him becomes suspicious. No permit should be granted him; the fact of a prior breach being

sufficient without the formality of its being found by jury.

3d. The schooner Caroline, belonging to Brown and Pilsbury of Buckstown. Where every attempt, the Collector says, has been made and still continues to be made to evade the embargo laws, the nature of the cargo is sufficient to refuse the permit, being wholly of provisions and lumber. This is the first time the character of the place has been brought under consideration as an objection. Yet a general disobedience to the laws in any place must have weight towards refusing to give them any facilities to evade. In such a case we may fairly require positive proof that the individual of a town tainted with a general spirit of disobedience, has never said or done anything himself to countenance that spirit. But the first cause of refusal being sufficient, an inquiry into character and conduct is unnecessary.

TO LIEUTENANT GOVERNOR LEVI LINCOLN.

WASHINGTON, November 13, 1808.

DEAR SIR,—I enclose you a petition from Nantucket, and refer it for your decision. Our opinion here is, that that place has been so deeply concerned in smuggling, that if it wants, it is because it has illegally sent away what it ought to have retained for its own consumption. Be so good as to bear in mind that I have asked the favor of you to see that your State encounters no real want, while, at the

same time, where applications are made merely to cover fraud, no facilities towards that be furnished. I presume there can be no want in Massachusetts as yet, as I am informed that Governor Sullivan's permits are openly bought and sold here and in Alexandria, and at other markets. The congressional campaign is just opening: three alternatives alone are to be chosen from: 1, embargo; 2, war; 3, submission and tribute. And, wonderful to tell, the last will not want advocates. The real question, however, will lie between the two first, on which there is considerable division. As yet the first seems most to prevail; but opinions are by no means yet settled down. Perhaps the advocates of the second may, to a formal declaration of war, prefer *general* letters of marque and reprisal, because, on a repeal of their edicts by the belligerent, a revocation of the letters of marque restores peace without the delay, difficulties, and ceremonies of a treaty. On this occasion, I think it is fair to leave to those who are to act on them, the decisions they prefer, being to be myself but a spectator. I should not feel justified in directing measures which those who are to execute them would disapprove. Our situation is truly difficult. We have been pressed by the belligerents to the very wall, and all further retreat is impracticable.

I salute you with sincere friendship.

TO THE HON. JOSEPH B. VARNUM.

WASHINGTON, November 18, 1808.

SIR,—You will perceive in the enclosed petitions, a request that I will lay them before Congress. This I cannot do consistently with my own opinion of propriety, because where the petitioners have a right to petition their immediate representatives in Congress directly, I have deemed it neither necessary nor proper for them to pass their petition through the intermediate channel of the Executive. But as the petitioners may be ignorant of this, and, confiding in it, may omit the proper measure, I have usually put such petitions into the hands of the Representatives of the State, informally to be used or not as they see best, and considering me as entirely disclaiming any agency in the case. With this view, I take the liberty of placing these papers in your hands, not as Speaker of the House, but as one of the Representatives from the State from which they came. Whether they should be handed on to the Representatives of the particular districts, (which are unknown to me,) yourself will be the best judge. I salute you with affection, esteem and respect.

TO THOMAS JEFFERSON RANDOLPH.

WASHINGTON, November 24, 1808.

MY DEAR JEFFERSON,— * * * *

Your situation, thrown at such a distance from us, and alone, cannot but give us all great anxieties for

you. As much has been secured for you, by your particular position and the acquaintance to which you have been recommended, as could be done towards shielding you from the dangers which surround you. But thrown on a wide world, among entire strangers, without a friend or guardian to advise, so young too, and with so little experience of mankind, your dangers are great, and still your safety must rest on yourself. A determination never to do what is wrong, prudence and good humor, will go far towards securing to you the estimation of the world. When I recollect that at fourteen years of age, the whole care and direction of myself was thrown on myself entirely, without a relation or friend qualified to advise or guide me, and recollect the various sorts of bad company with which I associated from time to time, I am astonished I did not turn off with some of them, and become as worthless to society as they were. I had the good fortune to become acquainted very early with some characters of very high standing, and to feel the incessant wish that I could ever become what they were. Under temptations and difficulties, I would ask myself what would Dr. Small, Mr. Wythe, Peyton Randolph do in this situation? What course in it will insure me their approbation? I am certain that this mode of deciding on my conduct, tended more to correctness than any reasoning powers I possessed. Knowing the even and dignified line they pursued, I could never doubt for a moment which of two courses

would be in character for them. Whereas, seeking the same object through a process of moral reasoning, and with the jaundiced eye of youth, I should often have erred. From the circumstances of my position, I was often thrown into the society of horse racers, card players, fox hunters, scientific and professional men, and of dignified men; and many a time have I asked myself, in the enthusiastic moment of the death of a fox, the victory of a favorite horse, the issue of a question eloquently argued at the bar, or in the great council of the nation, well, which of these kinds of reputation should I prefer? That of a horse jockey? a fox hunter? an orator? or the honest advocate of my country's rights? Be assured, my dear Jefferson, that these little returns into ourselves, this self-catechising habit, is not trifling nor useless, but leads to the prudent selection and steady pursuit of what is right.

I have mentioned good humor as one of the preservatives of our peace and tranquillity. It is among the most effectual, and its effect is so well imitated and aided, artificially, by politeness, that this also becomes an acquisition of first rate value. In truth, politeness is artificial good humor, it covers the natural want of it, and ends by rendering habitual a substitute nearly equivalent to the real virtue. It is the practice of sacrificing to those whom we meet in society, all the little conveniences and preferences which will gratify them, and deprive us of nothing worth a moment's consideration; it is the giving a

pleasing and flattering turn to our expressions, which will conciliate others, and make them pleased with us as well as themselves. How cheap a price for the good will of another! When this is in return for a rude thing said by another, it brings him to his senses, it mortifies and corrects him in the most salutary way, and places him at the feet of your good nature, in the eyes of the company. But in stating prudential rules for our government in society, I must not omit the important one of never entering into dispute or argument with another. I never saw an instance of one of two disputants convincing the other by argument. I have seen many, on their getting warm, becoming rude, and shooting one another. Conviction is the effect of our own dispassionate reasoning, either in solitude, or weighing within ourselves, dispassionately, what we hear from others, standing uncommitted in argument ourselves. It was one of the rules which, above all others, made Doctor Franklin the most amiable of men in society, "never to contradict anybody." If he was urged to announce an opinion, he did it rather by asking questions, as if for information, or by suggesting doubts. When I hear another express an opinion which is not mine, I say to myself, he has a right to his opinion, as I to mine; why should I question it? His error does me no injury, and shall I become a Don Quixote, to bring all men by force of argument to one opinion? If a fact be misstated, it is probable he is gratified by a belief of it, and I

have no right to deprive him of the gratification. If he wants information, he will ask it, and then I will give it in measured terms; but if he still believes his own story, and shows a desire to dispute the fact with me, I hear him and say nothing. It is his affair, not mine, if he prefers error. There are two classes of disputants most frequently to be met with among us. The first is of young students, just entered the threshold of science, with a first view of its outlines, not yet filled up with the details and modifications which a further progress would bring to their knowledge. The other consists of the ill-tempered and rude men in society, who have taken up a passion for politics. (Good humor and politeness never introduce into mixed society, a question on which they foresee there will be a difference of opinion.) From both of these classes of disputants, my dear Jefferson, keep aloof, as you would from the infected subjects of yellow fever or pestilence. Consider yourself, when with them, as among the patients of Bedlam, needing medical more than moral counsel. Be a listener only, keep within yourself, and endeavor to establish with yourself the habit of silence, especially on politics. In the fevered state of our country, no good can ever result from any attempt to set one of these fiery zealots to rights, either in fact or principle. They are determined as to the facts they will believe, and the opinions on which they will act. Get by them, therefore, as you would by an angry bull; it is not for a man of sense

to dispute the road with such an animal. You will be more exposed than others to have these animals shaking their horns at you, because of the relation in which you stand with me. Full of political venom, and willing to see me and to hate me as a chief in the antagonist party, your presence will be to them what the vomit grass is to the sick dog, a nostrum for producing ejaculation. Look upon them exactly with that eye, and pity them as objects to whom you can administer only occasional ease. My character is not within their power. It is in the hands of my fellow citizens at large, and will be consigned to honor or infamy by the verdict of the republican mass of our country, according to what themselves will have seen, not what their enemies and mine shall have said. Never, therefore, consider these puppies in politics as requiring any notice from you, and always show that you are not afraid to leave my character to the umpirage of public opinion. Look steadily to the pursuits which have carried you to Philadelphia, be very select in the society you attach yourself to, avoid taverns, drinkers, smokers, idlers, and dissipated persons generally; for it is with such that broils and contentions arise; and you will find your path more easy and tranquil. The limits of my paper warn me that it is time for me to close with my affectionate adieu.

P. S. Present me affectionately to Mr. Ogilvie, and, in doing the same to Mr. Peale, tell him I am

writing with his polygraph, and shall send him mine the first moment I have leisure enough to pack it.

TO THE VICE-PRESIDENTS OF THE AMERICAN PHILOSOPHICAL SOCIETY.

WASHINGTON, November 30, 1808.

GENTLEMEN,—Being to remove within a few months from my present residence to one still more distant from the seat of the meetings of the American Philosophical Society, I feel it a duty no longer to obstruct its service by keeping from the chair members whose position as well as qualifications, may enable them to discharge its duties with so much more effect. Begging leave, therefore, to withdraw from the Presidency of the Society at the close of the present term, I avail myself of the occasion gratefully to return my thanks to the Society for the repeated proofs they have been pleased to give of their favor and confidence in me, and to assure them, in retiring from the honorable station in which they have been pleased so long to continue me, that I carry with me all the sentiments of an affectionate member and faithful servant of the Society.

Asking the favor of you to make this communication to the Society, I beg leave to tender to each of you personally the assurances of my great esteem and respect.

TO SAMUEL HAWKINS, KINGSTON.

WASHINGTON, November 30, 1808.

SIR,—Business and indisposition have prevented my sooner acknowledging the receipt of your letter of the 3d instant, which came to hand on the 10th. Mr. Granger, before that, had sent here the very elegant ivory staff of which you wished my acceptance. The motives of your wish are honorable to me, and gratifying, as they evidence the approbation of my public conduct by a stranger who has not viewed it through the partialities of personal acquaintance. Be assured, Sir, that I am as grateful for the testimony, as if I could have accepted the token of it which you have so kindly offered. On coming into public office, I laid it down as a law of my conduct, while I should continue in it, to accept no present of any sensible pecuniary value. A pamphlet, a new book, or an article of new curiosity, have produced no hesitation, because below suspicion. But things of sensible value, however innocently offered in the first examples, may grow at length into abuse, for which I wish not to furnish a precedent. The kindness of the motives which led to this manifestation of your esteem, sufficiently assures me that you will approve of my desire, by a perseverance in the rule, to retain that consciousness of a disinterested administration of the public trusts, which is essential to perfect tranquillity of mind. Replacing, therefore, the subject of this

letter in the hands of Mr. Granger, under your orders, and repeating that the offer meets the same thankfulness as if accepted, I tender you my salutations and assurances of respect.

TO DOCTOR BENJAMIN WATERHOUSE.

WASHINGTON, December 1, 1808.

SIR,—In answer to the inquiries of the benevolent Dr. De Carro on the subject of the upland or mountain rice, Oryza Mutica, I will state to you what I know of it. I first became informed of the existence of a rice which would grow in uplands without any more water than the common rains, by reading a book of Mr. De Porpre, who had been Governor of the Isle of France, who mentions it as growing there and all along the coast of Africa successfully, and as having been introduced from Cochin-China. I was at that time (1784–89) in France, and there happening to be there a Prince of Cochin-China, on his travels, and then returning home, I obtained his promise to send me some. I never received it however, and mention it only as it may have been sent, and furnished the ground for the inquiries of Dr. De Carro, respecting my receiving it from China. When at Havre on my return from France, I found there Captain Nathaniel Cutting, who was the ensuing spring to go on a voyage along the coast of Africa. I engaged him to inquire for this; he was there just after the harvest, procured and sent me a thirty-

gallon cask of it. It arrived in time the ensuing spring to be sown. I divided it between the Agricultural Society of Charleston and some private gentlemen of Georgia, recommending it to their care, in the hope which had induced me to endeavor to obtain it, that if it answered as well as the swamp rice, it might rid them of that source of their summer diseases. Nothing came of the trials in South Carolina, but being carried into the upper hilly parts of Georgia, it succeeded there perfectly, has spread over the country, and is now commonly cultivated; still, however, for family use chiefly, as they cannot make it for sale in competition with the rice of the swamps. The former part of these details is written from memory, the papers being at Monticello which would enable me to particularize exactly the dates of times and places. The latter part is from the late Mr. Baldwin, one of those whom I engaged in the distribution of the seed in Georgia, and who in his annual attendance on Congress, gave me from time to time the history of its progress. It has got from Georgia into Kentucky, where it is cultivated by many individuals for family use. I cultivated it two or three years at Monticello, and had good crops, as did my neighbors, but not having conveniences for husking it, we declined it. I tried some of it in a pot, while I lived in Philadelphia, and gave seed to Mr. Bartram. It produced luxuriant plants with us both, but no seed; nor do I believe it will ripen in the United States as far north as Philadelphia.

Business and an indisposition of some days must apologize for this delay in answering your letter of October 24th, which I did not receive till the 6th of November. And permit me here to add my salutations and assurances of esteem and respect.

TO THOMAS MONROE.

WASHINGTON, December 4, 1808.

The Case of the Sale of City Lots under a Decree of the Chancellor of Maryland.

The deed of the original owners of the site of the city of Washington to certain trustees, after making provisions for streets, public squares, etc., declares that the residue of the ground, laid off in building lots, shall one moiety belong to the original proprietors, and the other moiety shall be sold on such terms and conditions as the President of the United States shall direct, the proceeds, after certain specified payments, to be paid to the President as a grant of money, and to be applied for the purposes, and according to the Act of Congress; which Act of Congress (1790, c. 28) had authorized the President to accept grants of money, to purchase or to accept land for the use of the United States, to provide suitable buildings, etc. Of these residuary building lots, one thousand were sold by the Commissioner to Greenleaf for $80,000, who transferred them to Morris and Nicholson, with an express lien on them for the purchase money due to the city. Under this lien the

Chancellor of Maryland has decreed that they shall be sold immediately for whatever they will bring; that the proceeds shall be applied first to the costs of suit and sale, and the balance towards paying the original purchase money. The sale has now proceeded, for some days, at very low prices, and must proceed till the costs of suit and sale are raised. It is well understood that under no circumstances of sale, however favorable, can they pay five in the pound of the original debt; and that if the whole are now forced into sale, at what they will bring, they will not pay one in the pound; and being the only fund from which a single dollar of the debt can ever be recovered, (on account of the bankruptcy of all the purchasers,) of $25,000 which the lots may bring if offered for sale from time to time *pari passu* with the growing demand, $20,000 will be lost by a forced sale. To save this sum is desirable. And the interest in it being ultimately that of the United States, I have consulted with the Secretary of the Treasury and Comptroller, and after due consideration, I am of opinion it is for the public interest, and within the powers of the President, under the deed of trust and laws, to repurchase under the decree, at the lowest prices obtainable, such of these lots as no other purchaser shall offer to take at what the Superintendent shall deem their real value, that is to say, what they will in his judgment sell for hereafter, if only offered from time to time as purchasers shall want them. The sums so to be allowed for

them by the Superintendent to be passed to the credit of Greenleaf, and retaining a right to the unsatisfied balance as damages due for non-compliance with his contract; a matter of form only, as not a cent of it is expected ever to be obtained. I consider the reconveyance of these lots at the price which the Superintendent shall nominally allow for them, as replacing them in our hands, in *statu quo* prices, as if the title had never been passed out of us; and that thereafter they will be in the condition of all other lots, sold, but neither conveyed nor paid for; that is to say, liable to be resold for the benefit of the city; as has been invariably practised in all other cases. The Superintendent is instructed to proceed accordingly.

TO ALBERT GALLATIN.

WASHINGTON, December 7, 1808.

1. D. W. Coxe and the ship Comet. The application to send another vessel to the Havana, to bring home the proceeds of the cargo of the Comet, charged with a breach of embargo, must be rejected for three reasons, each insuperable. 1st. The property was not shipped from the United States prior to December 22d, 1807, and therefore is not within the description of cases in which a permission by the executive is authorized by law. 2d. The limitation of time for permissions has been long expired. 3d. Although, in an action on the bond of the Comet, the fabricated

testimony of distress may embarrass judges and juries, trammelled by legal rules of evidence, yet it ought to have no weight with us to whom the law has referred to decide according to our discretion, well knowing that it was impossible to build up fraud by general rules. We know that the fabrication of proofs of leaky ships, stress of weather, cargoes sold under duress, are a regular part of the system of infractions of the embargo, with the manufacture of which every foreign port is provided, and that their oaths and forgeries are a regular merchandise in every port. We must therefore consider them as nothing, and that the act of entering a foreign port and selling the cargo is decisive evidence of an intentional breach of embargo, not to be countervailed by the letters of all the Charles Dixeys in the world; for every vessel is provided with a Charles Dixey.

My opinion is, therefore, that no permission ought ever to be granted for any vessel to leave our ports (while the embargo continues) in which any person is concerned either in interest or in navigating her, who has ever been concerned in interest, or in the navigation of a vessel which has at any time before entered a foreign port contrary to the views of the embargo laws, and under any pretended distress or duress whatever. This rule will not lead us wrong once in a hundred times.

2. I send you the case of Mr. Mitchell and the ship Neutrality, merely as a matter of form; for I

presume it must be rejected on the ground of limitation. These petitioners are getting into the habit of calling on me personally in the first instance. These personal solicitations being very embarrassing, I am obliged to tell them I will refer the case to you, and they will receive a written answer. But I hope, in your amendments to the law, you will propose a repeal of the power to give permissions to go for property.

TO ALBERT GALLATIN.

WASHINGTON, December 8, 1808.

The idea of regulating the coasting trade (to New Orleans for instance) by the quantity of tonnage sufficient for each port, is new to me, and presents difficulties through which I cannot see my way. To determine how much tonnage will suffice for the coasting trade of Boston, New York, Philadelphia, and the other ports great and small, and to divide this tonnage impartially among the competitors of each place, would embarrass us infinitely, and lead to unavoidable errors and irregularities. Is it not better to let it regulate itself as to all innocent articles, and to continue our attentions and regulations to the articles of provisions and lumber? If the rule of the *one-eighth* carries too much to New Orleans, and I am sure it does, why not confine it to the ports between St. Mary's and Passamaquoddy, (excluding these two,) and trust for New Orleans to the western

supplies and Governor Claiborne's permits? I suppose them sufficient, because Governor Claiborne has assured us that the western supplies are sufficient for the consumption of New Orleans, and we see that New Orleans has exported flour the last six months, and that, too, to the West Indies, whither will go also whatever flour the rule of the *one-eighth* carries there, or its equivalent in western flour. These ideas on the subject are of the first impression; and I keep the decision open for any further light which can be thrown on it.

TO ALBERT GALLATIN.

WASHINGTON, December 8, 1808.

Mr. Harrison will continue in office till the 3d of March. I send you tit for tat, one lady application for another. However our feelings are to be perpetually harrowed by these solicitations, our course is plain, and inflexible to right or left. But for God's sake get us relieved from this dreadful drudgery of refusal. Affectionate salutations.

TO ALBERT GALLATIN.

WASHINGTON, December 20, 1808.

The Case of the Schooner Concord, sold by J. Bell of Petersburg, to M. W. Hancock of Richmond.

I think it may be concluded from the letters of Hancock and the collector, that the purchase of the

schooner has been a *bona fide* one; but it is not even alleged that he has purchased the cargo, but it appears on the contrary that Bell has the same concern in that as before. As, where a person has once evaded the embargo laws, we consider all subsequent shipments and proposed voyages by him to be with the fraudulent intention; the present shipment of the cargo of tobacco, before refused, being still the concern of Bell, must of course be still suspicious, and refused a permit. But the request of the purchaser of the schooner, that, after taking out the cargo, he may have a clearance for her to go in ballast to the district of Richmond, may be granted.

TO ALBERT GALLATIN.

WASHINGTON, December 22, 1808.

The answer to the petition of Percival and others, praying that they may be permitted to send a vessel or vessels to take up their men from the desolate islands of the Indian Ocean, and thence to proceed on a trading voyage to Canton, etc., cannot but be a thing of course, that days having been publicly announced after which no permissions to send vessels to bring home property would be granted, which days are past long since, and the rule rigorously adhered to, it cannot now be broken through. If Congress continue the power, it will show that they mean it shall be exercised, and we may then consider

on what new grounds permissions may be granted. Affectionate salutations.

TO WILSON C. NICHOLAS.

WASHINGTON, December 22, 1808.

DEAR SIR,—I always consider it as the most friendly office which can be rendered me, to be informed of anything which is going amiss, and which I can remedy. I had known that there had been a very blamable failure in the clothing department, which had not become known so as to be remedied till the beginning of October; but I had believed that the remedy had then been applied with as much diligence as the case admitted. After the suggestions from General Smith and Mr. Giles the other day, I made inquiry into the fact, and have received the enclosed return, which will show exactly what has been done. Can I get the favor of you to show it to General Smith and Mr. Giles, to whom I am sure it will give as much satisfaction as to myself, and to re-enclose it to me? I salute you and them with sincere friendship and respect.

TO GOVERNOR WILLIAM H. HARRISON.

WASHINGTON, December 22, 1808.

SIR,—By the treaty of 1803, we obtained from the Kaskaskias the country as far as the ridge dividing the waters of the Kaskaskias from those of the

Illinois River; by the treaty of 1804, with the Sacs and Foxes, they ceded to us from the Illinois to the Ouisconsin. Between these two cessions is a gore of country, to wit, between the Illinois River and Kaskaskias line, which I understand to have belonged to the Piorias, and that that tribe is now extinct; if both these facts be true, we succeed to their title by our being proprietors paramount of the whole country. In this case it is interesting to settle our boundary with our next neighbors the Kickapoos. Where their western boundary is, I know not; but they cannot come lower down the Illinois River than the Illinois Lake, on which stood the old Pioria fort, and perhaps not so low. The Kickapoos are bounded to the south-east, I presume, by the ridge between the waters of the Illinois and Wabash, to which the Miamis claim, and north-east by the Pottawattamies. Of course it is with the Kickapoos alone we have to settle a boundary. I would therefore recommend to you to take measures for doing this. You will of course first endeavor with all possible caution to furnish yourself with the best evidence to be had, of the real location of the south-west boundary of the Kickapoos, and then endeavor to bring them to an acknowledgment of it formally, by a treaty of limits. If it be nothing more, the ordinary presents are all that will be necessary, but if they cede a part of their own country, then a price proportioned will be proper. In a letter to you of February 27th, 1803, I mentioned that I had heard there was still one

Pioria man living, and that a compensation making him easy for life should be given him, and his conveyance of the country by a regular deed be obtained. If there be such a man living, I think this should still be done. The ascertaining the line between the Kickapoos and us is now of importance, because it will close our possessions on the hither bank of the Mississippi from the Ohio to the Ouisconsin, and give us a broad margin to prevent the British from approaching that river, on which, under color of their treaty, they would be glad to hover, that they might smuggle themselves and their merchandise into Louisiana. Their treaty can only operate on the country so long as it is Indian; and in proportion as it becomes ours exclusively, their ground is narrowed. It makes it easier, too, for us to adopt on this side of the Mississippi a policy we are beginning on the other side, that of permitting no traders, either ours or theirs, to go to the Indian towns, but oblige them all to settle and be stationary at our factories, where we can have their conduct under our observation and control. However, our first object must be to blockade them from the Mississippi, and to this I ask the favor of your attention; and salute you with great friendship and respect.

TO JOEL BARLOW.

WASHINGTON, December 25, 1808.

DEAR SIR,—I return you Doctor Maese's letter, which a pressure of business has occasioned me to keep too long. I think an account of the manufactures of Philadelphia would be really useful, and that the manufactures of other places should be added from time to time, as information of them should be received. To give a perfect view of the whole, would require a report from every county or township of the United States. Perhaps the present moment would be premature, as they are, in truth, but just now in preparation. The government could not aid the publication by the subscription suggested by Doctor Maese, without a special law for it. All the purposes for which they can pay a single dollar, are specified by law. The advantage of the veterinary institution proposed, may perhaps be doubted. If it be problematical whether physicians prevent death where the disease, unaided, would have terminated fatally,—oftener than they produce it, where order would have been restored to the system by the process, if uninterrupted, provided by nature, and in the case of a man who can describe the seat of his disease, its character, progress, and often its cause, what might we expect in the case of the horse, —mute, etc., yielding no sensible and certain indications of his disease? They have long had these institutions in Europe; has the world received as

yet one iota of valuable information from them? If it has, it is unknown to me. At any rate, it may be doubted whether, where so many institutions of obvious utility are yet wanting, we should select this one to take the lead. I return you Gibbon, with thanks. I send you, also, for your shelf of pamphlets, one which gives really a good historical view of our funding system, and of federal transactions generally, from an early day to the present time. I salute you with friendship and respect.

TO CHARLES THOMSON, ESQ.

WASHINGTON, December 25, 1808.

I thank you, my dear and ancient friend, for the two volumes of your translation, which you have been so kind as to send me. I have dipped into it at the few moments of leisure which my vocations permit, and I perceive that I shall use it with great satisfaction on my return home. I propose there, among my first employments, to give to the Septuagint an attentive perusal, and shall feel the aid you have now given me. I am full of plans of employment when I get there,—they chiefly respect the active functions of the body. To the mind I shall administer amusement chiefly. An only daughter and numerous family of grandchildren, will furnish me great resources of happiness. I learn with sincere pleasure that you have health and activity enough to have performed the journey to and from

Lancaster without inconvenience. It has added another proof that you are not wearied with well-doing. Although I have enjoyed as uniform health through life as reason could desire, I have no expectation that, even if spared to your age, I shall at that period be able to take such a journey. I am already sensible of decay in the power of walking, and find my memory not so faithful as it used to be. This may be partly owing to the incessant current of new matter flowing constantly through it; but I ascribe to years their share in it also. That you may be continued among us to the period of your own wishes, and that it may be filled with continued health and happiness, is the sincere prayer of your affectionate friend.

TO ALBERT GALLATIN.

WASHINGTON, December 27, 1808.

The enclosed petition, from Deville, was handed me by General Turreau. I told him at once it was inadmissible; that days had been long ago announced, after which no vessel would be permitted to depart; that in favor of emigrants we had continued indulgences till very lately; but as there must be an end to it, that time had come, and we had determined to give no more permissions. They had had a complete year to depart, and had not availed themselves of it. He appeared satisfied, and perhaps will himself give the answer. However, an answer of the

above purport may be given from your office. I have referred the case of the British boats to the Attorney General for his opinion. Affectionate salutations.

TO DOCTOR GEORGE LOGAN.

WASHINGTON, December 27, 1808.

DEAR SIR,—Your favor of the 8th, by Mr. Cunow, was duly received, and I now return you the letter it covered. Mr. Cunow's object was so perfectly within our own views, that it was readily obtained, and I am in hopes he has left us with a more correct opinion of the dispositions of the administration than his fraternity has generally manifested. I have within a few days had visits from the Pottawattamies, Miamis, Chippewas, Delawares, and Cherokees, and there arrived some yesterday, of, I believe, the Ottoways, Wyandots, and others of that neighborhood. Our endeavors are to impress on them all profoundly, temperance, peace, and agriculture; and I am persuaded they begin to feel profoundly the soundness of the advice.

Congress seems as yet to have been able to make up no opinion. Some are for taking off the embargo before they separate; others not till their meeting next autumn; but both with a view to substitute war, if no change takes place with the powers of Europe. A middle opinion is to have an extra session in May, to come then to a final decision. I have thought it right to take no part myself in proposing

measures, the execution of which will devolve on my successor. I am therefore chiefly an unmeddling listener to what others say. On the same ground, I shall make no new appointments which can be deferred till the 4th of March, thinking it fair to leave to my successor to select the agents for his own administration. As the moment of my retirement approaches, I become more anxious for its arrival, and to begin at length to pass what yet remains to me of life and health in the bosom of my family and neighbors, and in communication with my friends, undisturbed by political concerns or passions. Permit me to avail myself of this occasion to assure Mrs. Logan and yourself of my continued friendship and attachment, and that I shall ever be pleased to hear of your happiness and prosperity, saluting you both with affection and respect.

TO ALBERT GALLATIN.

WASHINGTON, December 28, 1808.

I enclose you the petition of Jacob Smith of Newport, in the case of the ship Triumph, which is a new case to me. Perhaps the practice as to foreign ships arriving since the embargo laws, with which I am unacquainted, may facilitate the solution. What should be done?

The Atalanta.

Is not the collector the person who is to search into the fact charged? I do not know who it is that

does this in case of seizure. However, I will send the case to Mr. Smith.

The petition of Manuel Valder for a vessel to carry off Spanish subjects, is rejected.

The cases from St. Mary are really embarrassing. I sent the papers to Mr. Madison to ask his opinion. He had read only one when he called on me this morning. He seemed strongly of opinion that it would be most advisable to send some person to the Governor of East Florida, to enter into some friendly arrangements with him. He has the papers still under consideration; in the meantime we may consider as further means, how it might do to destroy all boats and canoes on our side the river, paying for them? To arrest impression, and bring to regular trial every negro taken in the act of violating the laws? This for mere consideration. Affectionate salutations.

TO EDMUND RANDOLPH.

WASHINGTON, December 28, 1808.

DEAR SIR,—I received yesterday your favor of the 22d. It was the first information I had had of the sentence against Moss, the District Attorney not having written to me as you supposed. I referred the case to the Postmaster General, who in his answer says, "His is not a single crime, but a series of crimes, for months if not years. There were found upon him between $1,300 and $1,500, which he had robbed in small sums."

You are sensible that the Legislature having made stripes a regular part of the punishment, that the pardoning them cannot be a thing of course, as that would be to repeal the law, but that extraordinary and singular considerations are necessary to entitle the criminal to that remission. The information of the Postmaster General marks such an habitual depravity of mind, as leaves little room to suppose that any facts can countervail it; and the robbery of the mail has now become so frequent and great an evil, that the moment is unfavorable to propositions of relaxation. Still I shall be ready to receive and consider any testimony in his favor, which his friends may bring forward, and will do it on whatever I may believe to have been the intention of the Legislature in confiding the power of pardon to the Executive. The opinion of the judges who sat in the cause, I have ever required as indispensable to ground a pardon. A copy of the judgment is also necessary. I have taken the liberty of troubling you with these observations, because I have received no application but your letter, and lest, on the contrary supposition, his case might suffer for want of information. Accept my salutations and assurances of friendly esteem and respect.

TO ———.

WASHINGTON, December 31, 1808.

SIR,—The General Government of the United States has considered it their duty and interest to extend their care and patronage over the Indian tribes within their limits, and to endeavor to render them friends, and in time perhaps useful members of the nation. Perceiving the injurious effects produced by their inordinate use of spirituous liquors, they passed laws authorizing measures against the vending or distributing such liquors among them. Their introduction by traders was accordingly prohibited, and for some time was attended with the best effects. I am informed, however, that latterly the Indians have got into the practice of purchasing such liquors themselves in the neighboring settlements of whites, and of carrying them into their towns, and that in this way our regulations so salutary to them, are now defeated. I must, therefore, request your Excellency to submit this matter to the consideration of your Legislature. I persuade myself that in addition to the moral inducements which will readily occur, they will find it not indifferent to their own interests to give us their aid in removing, for their neighbors, this great obstacle to their acquiring industrious habits, and attaching themselves to the regular and useful pursuits of life; for this purpose it is much desired that they should pass effectual laws to restrain their citizens from

vending and distributing spirituous liquors to the Indians. I pray your Excellency to accept the assurances of my great esteem and respect.

TO HENRY GUEST.

WASHINGTON, January 4, 1809.

SIR,—A constant pressure of business must be my apology for being so late in acknowledging the receipt of your favor of November 25th. I am sensible of the kindness of your rebuke on my determination to retire from office at a time when our country is laboring under difficulties truly great. But if the principle of rotation be a sound one, as I conscientiously believe it to be with respect to this office, no pretext should ever be permitted to dispense with it, because there never will be a time when real difficulties will not exist, and furnish a plausible pretext for dispensation. You suppose I am "in the prime of life for rule." I am sensible I am not; and before I am so far declined as to become insensible of it, I think it right to put it out of my own power. I have the comfort too of knowing that the person whom the public choice has designated to receive the charge from me, is eminently qualified as a safe depository by the endowments of integrity, understanding, and experience. On a review therefore of the reasons for my retirement, I think you cannot fail to approve them.

Your proposition for preventing the effect of splin-

ters in a naval action, will certainly merit consideration and trial whenever our vessels shall be called into serious service; till then the perishable nature of the covering, would render it an unnecessary expense. I tender you my best wishes for the continuance of your life and health, and salute you with great esteem and respect.

TO ALBERT GALLATIN.

WASHINGTON, January 9, 1809.

I do not recollect the instructions to Governor Lewis respecting squatters. But if he had any they were unquestionably to prohibit them rigorously. I have no doubt, if he had not written instructions, that he was verbally so instructed. Carr's story has very much the air of an idle rumor, willingly listened to. It shows some germ of discontent existing.

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TO THE SECRETARY OF WAR (HENRY DEARBORN).

WASHINGTON, January 12, 1809.

SIR,—I have read with pleasure the letter of Captain Davidson, by which, according to unanimous resolves of the company of light infantry of the first legion of the militia of Columbia commanded by him, he tenders their services as volunteers under the Act of Congress of February 24th, 1807. I accept

the offer, and render to Captain Davidson and the other officers and privates of the company, that praise to which their patriotism so justly entitles them. So long urged by the aggressions of the belligerent powers, and every measure of forbearance at length exhausted, our country must see with sincere satisfaction the alacrity with which persons will flock to her standard whenever her constituted authorities shall declare that we take into our own hands the redress of our wrongs. Be so good as to communicate in behalf of the public my thanks to Captain Davidson, the other officers and privates of his company, and be assured yourself of my affectionate respect.

TO GENERAL HENRY DEARBORN.

WASHINGTON, January 12, 1809.

I suppose that in answering Governor Drayton we should compliment his ardor, and smooth over our non-compliance with his request; that he might be told that the President sees, in his present application, a proof of his vigilance and zeal in whatever concerns the public safety, and will count with the more confidence on his future attentions and energy whenever circumstances shall call for them. That he considers that the power entrusted to him for calling out the 100,000 militia, was meant to be exercised only in the case of some great and general emergency, and by no means to be employed merely as

garrisons or guards in ordinary cases: that there is no apprehension that England means either to declare or to commence war on us at the present moment, and that if the declaration shall be intended to originate with us, he may be assured of receiving timely notice, with the powers and the means of placing everything in safety before a state of actual danger commences; that nevertheless it is of great urgency that the quota of his State be prepared with all possible diligence, to be ready to march at a moment's warning, because by that time it is very possible, and scarcely improbable, that their services may have become actually requisite. Affectionate salutations.

TO DOCTOR WILLIAM EUSTIS.

WASHINGTON, January 14, 1809.

SIR,—I have the pleasure to acknowledge the receipt of your letter of December the 24th, and of the resolutions of the republican citizens of Boston, of the 19th of that month. These are worthy of the ancient character of the sons of Massachusetts, and of the spirit of concord with her sister States, which, and which alone, carried us successfully through the revolutionary war, and finally placed us under that national government, which constitutes the safety of every part, by uniting for its protection the powers of the whole. The moment for exerting these united powers, to repel the injuries of the bellig-

erents of Europe, seems likely to be pressed upon us. They have interdicted our commerce with nearly the whole world. They have declared it shall be carried on with such places, in such articles, and in such measure only, as they shall dictate; thus prostrating all the principles of right which have hitherto protected it. After exhausting the cup of forbearance and conciliation to its dregs, we found it necessary, on behalf of that commerce, to take time to call it home into a state of safety, to put the towns and harbors which carry it on into a condition of defence, and to make further preparation for enforcing the redress of its wrongs, and restoring it to its rightful freedom. This required a certain measure of time, which, although not admitting specific limitation, must, from its avowed objects, have been obvious to all; and the progress actually made towards the accomplishment of these objects, proves it now to be near its term. While thus endeavoring to secure, and preparing to vindicate that commerce, the absurd opinion has been propagated, that this temporary and necessary arrangement was to be a permanent system, and was intended for its destruction. The sentiments expressed in the paper you were so kind as to enclose to me, show that those who have concurred in them have judged with more candor the intentions of their government, and are sufficiently aware of the tendency of the excitements and misrepresentations which have been practised on this occasion. And such, I am persuaded, will

be the disposition of the citizens of Massachusetts at large, whenever truth can reach them. Associated with her sister States in a common government, the fundamental principle of which is, that the will of the majority is to prevail, sensible that, in the present difficulty, that will has been governed by no local interests or jealousies, that, to save permanent rights, temporary sacrifices were necessary, that these have fallen as impartially on all, as in a situation so peculiar they could be made to do, she will see in the existing measures a legitimate and honest exercise of the will and wisdom of the whole. And her citizens, faithful to themselves and their associates, will not, to avoid a transient pressure, yield to the seductions of enemies to their independence, foreign or domestic, and take a course equally subversive of their well-being, as of that of their brethren.

The approbation expressed by the republican citizens of the town of Boston, of the course pursued by the national government, is truly consoling to its members; and, encouraged by the declaration of the continuance of their confidence, and by the assurance of their support, they will continue to pursue the line of their high duties according to the best of their understandings, and with undeviating regard to the good of the whole. Permit me to avail myself of this occasion of tendering you personally the assurances of my great esteem and respect.

TO THOMAS C. JAMES, SECRETARY OF THE AMERICAN PHILOSOPHICAL SOCIETY.

WASHINGTON, January 14, 1809.

SIR,—I have received your favor of the 6th inst., informing me that the American Philosophical Society had been pleased, at their late election, unanimously to re-elect me president of the society. In desiring, in my letter to the vice-presidents, that I might be permitted to withdraw from that honor, I acted from a conscientious persuasion that I was keeping from that important station members whose position, as well as qualifications, would enable them to render more effectual services to the institution. But the society having thought proper again to name me, I shall obey it with dutifulness, and be ever anxious to avail myself of every occasion of being useful to them. I pray you to be so good as to communicate my thanks to them, with assurances of my devotion to their service, and to accept those of great esteem and respect for yourself personally.

TO DOCTOR MAESE.

WASHINGTON, January 15, 1809.

SIR,—The constant pressure of such business as will admit no delay, has prevented my sooner acknowledging the receipt of your letter of the 2d, and even now will confine me to the single question, for the answer to which you wait, before you take any

step towards bringing forward the institution you propose for the advancement of the arts. That question is whether Congress would grant a charter of incorporation, and a sum for premiums annually? It has always been denied by the republican party in this country, that the Constitution had given the power of incorporation to Congress. On the establishment of the Bank of the United States, this was the great ground on which that establishment was combated; and the party prevailing supported it only on the argument of its being an incident to the power given them for raising money. On this ground it has been acquiesced in, and will probably be again acquiesced in, as subsequently confirmed by public opinion. But in no other instance have they ever exercised this power of incorporation out of this district, of which they are the ordinary legislature.

It is still more settled that among the purposes to which the Constitution permits them to apply money, the granting premiums or bounties is not enumerated, and there has never been a single instance of their doing it, although there has been a multiplicity of applications. The Constitution has left these encouragements to the separate States. I have in two or three messages recommended to Congress an amendment to the Constitution, which should extend their power to these objects. But nothing is yet done in it. I fear, therefore, that the institution you propose must rest on the patronage of the State in which it is

to be. I wish I could have answered you more to my own mind, as well as yours; but truth is the first object. I salute you with esteem and respect.

CIRCULAR LETTER FROM THE SECRETARY OF WAR, TO THE GOVERNORS,—PREPARED BY THOMAS JEFFERSON.

WASHINGTON, January 17, 1809.

SIR,—The pressure of the embargo, although sensibly felt by every description of our fellow citizens, has yet been cheerfully borne by most of them, under the conviction that it was a temporary evil, and a necessary one to save us from greater and more permanent evils,—the loss of property and surrender of rights. But it would have been more cheerfully borne, but for the knowledge that, while honest men were religiously observing it, the unprincipled along our seacoast and frontiers were fraudulently evading it; and that in some parts they had even dared to break through it openly, by an armed force too powerful to be opposed by the collector and his assistants. To put an end to this scandalous insubordination to the laws, the Legislature has authorized the President to empower proper persons to employ militia, for preventing or suppressing armed or riotous assemblages of persons resisting the custom house officers in the exercise of their duties, or opposing or violating the embargo laws. He sincerely hopes that during the short time which these restrictions are

expected to continue, no other instances will take place of a crime of so deep a dye. But it is made his duty to take the measures necessary to meet it. He therefore requests you, as commanding officer of the militia of your State, to appoint some officer of the militia, of known respect for the laws, in or near to each port of entry within your State, with orders, when applied to by the collector of the district, to assemble immediately a sufficient force of his militia, and to employ them efficaciously to maintain the authority of the laws respecting the embargo, and that you notify to each collector the officer to whom, by your appointment, he is so to apply for aid when necessary. He has referred this appointment to your Excellency, because your knowledge of characters, or means of obtaining it, will enable you to select one who can be most confided in to exercise so serious a power, with all the discretion, the forbearance, the kindness even, which the enforcement of the law will possibly admit,—ever to bear in mind that the life of a citizen is never to be endangered, but as the last melancholy effort for the maintenance of order and obedience to the laws.

TO WASHINGTON BOYD.

WASHINGTON, January 20. 1809.

Thomas Jefferson presents his compliments to Mr. Boyd, and observes that the enclosed petition of Nicholas Kosieg, has been addressed to Judge

Cranch, and yet is not recommended by him or the other judges who sat on the trial. They are so particularly qualified by having heard the evidence, to decide on the merits of the petition, that Thomas Jefferson has generally made the recommendation of judges the foundation of pardon, and sees no reason in the present case to depart from that rule. He assures Mr. Boyd of his esteem and respect.

TO HIS EXCELLENCY GOVERNOR JOHN TYLER.[1]

WASHINGTON, January 20, 1809.

SIR,—The Secretary of War has put into my hand your Excellency's letter of January 9th, covering one of December 15th from Captain Henry St. John Dixon, of the volunteer riflemen of the 105th regiment, offering the service of his company for one year. The term for which the offer is made shows it intended to be under the Act of Congress of February 24th, 1807, and not under that of March 30th, 1808, which is only for a service of six months under the law of 1807. The Governors were authorized and requested, on behalf of the President, to accept the offers made under that act, and to organize the corps when ready for it, officering it according to the laws of their State. This authority was given to your predecessor, and was considered as devolving on yourself. The authority and request are now renewed to you, and the letter of Captain Dixon

[1] Governor of Virginia.

returned for that purpose. To this I will add another request, that you will be so good as to endeavor to have a return made to the War Office of all the corps of twelve-month volunteers which have been accepted in Virginia. They began immediately after the attack on the Chesapeake. I salute you with esteem and respect.

TO COLONEL DAVID HUMPHREYS.

WASHINGTON, January 20, 1809.

SIR,—I have to acknowledge the receipt of your favor of December 12th, and to return you my thanks for the cloth furnished me. It came in good time, and does honor to your manufactory, being as good as any one would wish to wear in any country. Amidst the pressure of evils with which the belligerent edicts have afflicted us, some permanent good will arise; the spring given to manufactures will have durable effects. Knowing most of my own State, I can affirm with confidence that were free intercourse opened again to-morrow, she would never again import one-half of the coarse goods which she has done down to the date of the edicts. These will be made in our families. For finer goods we must resort to the larger manufactories established in the towns. Some jealousy of this spirit of manufacture seems excited among commercial men. It would have been as just when we first began to make our own ploughs and hoes. They have certainly lost

the profit of bringing these from a foreign country. My idea is that we should encourage home manufactures to the extent of our own consumption of everything of which we raise the raw material. I do not think it fair in the ship-owners to say we ought not to make our own axes, nails, etc., here, that they may have the benefit of carrying the iron to Europe, and bringing back the axes, nails, etc. Our agriculture will still afford surplus produce enough to employ a due proportion of navigation. Wishing every possible success to your undertaking, as well for your personal as the public benefit, I salute you with assurances of great esteem and respect.

TO THOMAS LEIPER.

WASHINGTON, January 21, 1809.

DEAR SIR,—Your letter of the 15th was duly received, and before that, Towers' book, which you had been so kind as to send me, had come to hand, for which I pray you to receive my thanks. You judge rightly that *here* I have no time to read. A cursory view of the book shows me that the author is a man of much learning in his line. I have heard of some other late writer, (the name I forget,) who has undertaken to prove contrary events from the same sources; and particularly that England is not to be put down; and that this is the favorite author in that country. As to myself, my religious reading has long been confined to the moral branch of religion,

which is the same in all religions; while in that branch which consists of dogmas, all differ, all have a different set. The former instructs us how to live well and worthily in society; the latter are made to interest our minds in the support of the teachers who inculcate them. Hence, for one sermon on a moral subject, you hear ten on the dogmas of the sect. However, religion is not the subject for you and me; neither of us know the religious opinions of the other; that is a matter between our Maker and ourselves. We understand each other better in politics, to which therefore I will proceed. The House of Representatives passed last night a bill for the meeting of Congress on the 22d of May. This substantially decides the course they mean to pursue; that is, to let the embargo continue till then, when it will cease, and letters of marque and reprisal be issued against such nations as shall not then have repealed their obnoxious edicts. The great majority seem to have made up their minds on this, while there is considerable diversity of opinion on the details of preparation; to wit: naval force, volunteers, army, non-intercourse, etc. I write freely to you, because I know that in stating facts, you will not quote names. You know that every syllable uttered in my name becomes a text for the federalists to torment the public mind on by their paraphrases and perversions. I have lately inculcated the encouragement of manufactures to the extent of our own consumption at least, in all articles of

which we raise the raw material. On this the federal papers and meetings have sounded the alarm of Chinese policy, destruction of commerce, etc.; that is to say, the iron which we make must not be wrought here into ploughs, axes, hoes, etc., in order that the ship-owner may have the profit of carrying it to Europe, and bringing it back in a manufactured form, as if after manufacturing our own raw materials for our own use, there would not be a surplus produce sufficient to employ a due proportion of navigation in carrying it to market and exchanging it for those articles of which we have not the raw material. Yet this absurd hue and cry has contributed much to federalize New England, their doctrine goes to the sacrificing agriculture and manufactures to commerce; to the calling all our people from the interior country to the sea-shore to turn merchants, and to convert this great agricultural country into a city of Amsterdam. But I trust the good sense of our country will see that its greatest prosperity depends on a due balance between agriculture, manufactures and commerce, and not in this protuberant navigation which has kept us in hot water from the commencement of our government, and is now engaging us in war. That this may be avoided, if it can be done without a surrender of rights, is my sincere prayer. Accept the assurances of my constant esteem and respect.

TO COLONEL CHARLES SIMMS, COLLECTOR.

WASHINGTON, January 22, 1809.

SIR,—I received last night your letter of yesterday, and this being a day in which all the offices are shut, and the case admitting no delay, I enclose you a special order, directly from myself, to apply for aid of the militia adjacent to the vessel, to enable you to do your duty as to the sloop loading with flour. But I must desire that, so far as the agency of the militia be employed, it may be with the utmost discretion, and with no act of force beyond what shall be necessary to maintain obedience to the laws, using neither deeds nor words unnecessarily offensive. I salute you with respect.

[*The Order Enclosed.*]

THOMAS JEFFERSON, PRESIDENT OF THE UNITED STATES OF AMERICA.

January, 1809.

UNITED STATES OF AMERICA TO WIT,—Information being received that a sloop, said to be of one of the eastern States, of about 1,500 barrels burden, is taking in flour in the Bay of Occoquan in Virginia, with intention to violate the several embargo laws, and the urgency of the case not admitting the delay of the ordinary course of proceeding through the orders of the Governors of the States, I have therefore thought proper to issue these my special orders to the militia officers of the counties of Fairfax,

Prince William, or of any other county of Virginia, or of Maryland, adjacent to the river Potomac or any of its waters, wherein the said vessel may be found, and to such particular officer especially to whom these my orders shall be presented by any collector of the customs, for any district on the said river or its waters, or by any person acting under their authority, forthwith on receiving notice, to call out such portion of the militia under his or their command as shall be sufficient, and to proceed with the same, in aid of the said collector, to take possession of the said sloop and her cargo, wheresoever found in the said waters, and to detain the same until she shall be liberated according to law, for which this shall be his and their warrant.

Given under my hand at Washington, this 22d day of January, 1809.

TO COLONEL JAMES MONROE.

WASHINGTON, January 28, 1809.

DEAR SIR,—Your favor of the 18th was received in due time, and the answer has been delayed as well by a pressure of business, as by the expectation of your absence from Richmond.

The idea of sending a special mission to France or England is not entertained at all here. After so little attention to us from the former, and so insulting an answer from Canning, such a mark of respect as an extraordinary mission, would be a degradation against

which all minds revolt here. The idea was hazarded in the House of Representatives a few days ago, by a member, and an approbation expressed by another, but rejected indignantly by every other person who spoke, and very generally in conversation by all others; and I am satisfied such a proposition would get no vote in the Senate. The course the Legislature means to pursue, may be inferred from the act now passed for a meeting in May, and a proposition before them for repealing the embargo in June, and then resuming and maintaining by force our right of navigation. There will be considerable opposition to this last proposition, not only from the federalists, old and new, who oppose everything, but from sound members of the majority. Yet it is believed it will obtain a good majority, and that it is the only proposition which can be devised that could obtain a majority of any kind. Final propositions will, therefore, be soon despatched to both the belligerents through the resident ministers, so that their answers will be received before the meeting in May, and will decide what is to be done. This last trial for peace is not thought desperate. If, as is expected, Bonaparte should be successful in Spain, however every virtuous and liberal sentiment revolts at it, it may induce both powers to be more accommodating with us. England will see here the only asylum for her commerce and manufactures, worth more to her than her orders of council. And Bonaparte, having Spain at his feet, will look immediately to the

Spanish colonies, and think our neutrality cheaply purchased by a repeal of the illegal parts of his decrees, with perhaps the Floridas thrown into the bargain. Should a change in the aspect of affairs in Europe produce this disposition in both powers, our peace and prosperity may be revived and long continue. Otherwise, we must again take the tented field, as we did in 1776 under more inauspicious circumstances.

There never has been a situation of the world before, in which such endeavors as we have made would not have secured our peace. It is probable there never will be such another. If we go to war now, I fear we may renounce forever the hope of seeing an end of our national debt. If we can keep at peace eight years longer, our income, liberated from death, will be adequate to any war, without new taxes or loans, and our position and increasing strength put us *hors d'insulte* from any nation. I am now so near the moment of retiring, that I take no part in affairs beyond the expression of an opinion. I think it fair that my successor should now originate those measures of which he will be charged with the execution and responsibility, and that it is my duty to clothe them with the forms of authority. Five weeks more will relieve me from a drudgery to which I am no longer equal, and restore me to a scene of tranquillity, amidst my family and friends, more congenial to my age and natural inclinations. In that situation, it will always be a pleasure to me to see you, and to

repeat to you the assurances of my constant friendship and respect.

TO HIS EXCELLENCY GOVERNOR JOHN SEVIER.[1]

WASHINGTON, January 31, 1809.

SIR,—The extraordinary and critical situation of our foreign relations rendering it necessary, in the opinion of the National Legislature, that their next recess should be short, they have passed an act for meeting on the fourth Monday of May, of which I enclose you a copy. As the election of representatives for the State of Tennessee would not, in the ordinary course, be in time for this meeting, I have thought it my duty to make you a special communication of this law. That every State should be represented in the great council of the nation, is not only the interest of each, but of the whole united, who have a right to be aided by the collective wisdom and information of the whole, in questions which are to decide on their future well-being. I trust that your Excellency will deem it incumbent on you to call an immediate meeting of your Legislature, in order to put it in their power to fulfil this high duty, by making special and timely provision for the representation of their State at the ensuing meeting of Congress; to which measures I am bound earnestly to exhort yourself and them. I am not insensible of the personal inconvenience of this special call to

[1] Governor of Tennessee.

the members composing the Legislature of so extensive a State; but neither will I do them the injustice to doubt their being ready to make much greater sacrifices for the common safety, should the course of events still lead to a call for them. I tender to your Excellency the assurances of my high respect and consideration.

TO MONSIEUR AMELOT DE LA CROIX, BOSTON.

WASHINGTON, February 3, 1809.

SIR,—I received in due time your favor of December 28th, covering the tragedy of the unfortunate Louis XVI., and I am sure you are too reasonable not to have ascribed the delay of answer which has intervened, to its true cause, the never-ceasing pressure of business which cannot be deferred. I have read the piece with great satisfaction. I recognize in Louis that purity of virtue and sincere patriotism which I knew made a part of his real character. The sound good sense and exalted sentiments he is made to utter, were proper to his character, whether actually a part of it or not. I say nothing of style, not doubting its merit, and conscious I am no judge of it in a foreign language. I believe it impossible, in any but our native tongue, to be so thoroughly sensible of the delicacy of style, which constitutes an essential merit in poetical composition, as to criticise them with correctness.

I wish that, in the prefatory piece, the character

which is the subject of it, did not fall still further short of its representation than that of the principal personage in the main piece. I have never claimed any other merit than of good intentions, sensible that in the choice of measures, error of judgment has too often had its influence; and with whatever indulgence my countrymen as well as yourself, have been so kind as to view my course, yet they would certainly not know me in the picture here drawn, and would, I fear, say in the words of the poet, "Praise undeserved is satire in disguise." Were, therefore, the piece to be prepared for the press, I should certainly entreat you to revise that part with a severe eye.

I believe I mentioned to you, on a former occasion, that the late act of Congress for raising additional troops required that the officers should all be citizens of the United States. Should there be war, however, I am persuaded this policy must be abandoned, and that we must avail ourselves of the experience of other nations, in certain lines of service at least. In that expectation I shall leave with my successor the papers in my possession, from which he may be sensible of the benefits he may receive from your aid.

I pray you to accept my salutations and assurances of respect.

TO CAPTAIN ARMISTEAD T. MASON.

WASHINGTON, February 3, 1809.

SIR,—Your letter of January 7th came to my hand on the 23d only of that month, since which the pressure of business which could not be delayed, has prevented my sooner acknowledging its receipt. The offer of service therein made by the subscribing members of the troop of cavalry, attached to the 57th regiment of Virginia militia under your command, is worthy of that ardent love of our country which, I am persuaded, will distinguish its citizens, whenever its wrongs shall call them to the field. I tender, therefore, to the subscribing officers and members of the troop that acknowledgment of their merit which is so justly due. At the same time, I must observe that, considering their offer of service as made under the law of 1808, the power of accepting it is thereby given to the governor of the State, to whom their address for acceptance is of course to be made. A bill for raising a body of volunteers is now on its progress through Congress. Should that be passed, which will soon be known, it may perhaps be more eligible for the subscribing members to place themselves under the conditions of that law. I pray you to accept, for them and yourself, the assurances of my esteem and respect.

TO CAPTAIN ARMISTEAD T. MASON.

WASHINGTON, February 3, 1809.

SIR,—I enclose you a letter in answer to that in which you offer the services of the subscribing members of your troop of cavalry. I make this separate and private answer to the very friendly letter addressed to me in your own name only, and which accompanied the former. The relation which you bear to my most valued and worthy friend Stevens T. Mason, gives you a just title to communicate your wishes to me, and will insure to you any services I can render you. The time of my continuance in office is now so short, that it will scarcely fall to my lot to be useful to you, but I shall leave your letter in the hands of my successor, than whom nobody cherishes more the memory of your father. If the bill mentioned in my other letter passes, there will be little difficulty in your obtaining appointment. The engagements that proposes are to be for one year from the time the volunteers are called on, which will not be till war is declared, or inevitable, and from that corps a transfer will be easy into the regular troops, which in that case will be to be raised.

I am happy in every testimony from my fellow citizens, that my conduct in the discharge of my duties to them, has given them satisfaction. Accept my thanks for the very kind terms in which you have been pleased to express your dispositions towards myself, and with a request that you will be so good as

to present my high respects to Mrs. Mason, with whom I have had the happiness of some acquaintance, I salute you with friendship and esteem.

TO THOMAS MANN RANDOLPH.

WASHINGTON, February 7, 1809.

DEAR SIR,—I thought Congress had taken their ground firmly for continuing their embargo till June, and then war. But a sudden and unaccountable revolution of opinion took place the last week, chiefly among the New England and New York members, and in a kind of panic they voted the 4th of March for removing the embargo, and by such a majority as gave all reason to believe they would not agree either to war or non-intercourse. This, too, was after we had become satisfied that the Essex Junto had found their expectation desperate, of inducing the people there to either separation or forcible opposition. The majority of Congress, however, has now rallied to the removing the embargo on the 4th of March, non-intercourse with *France* and *Great Britain*, trade everywhere else, and continuing war preparations. The further details are not yet settled, but I believe it is perfectly certain that the embargo will be taken off the 4th of March. Present my warmest affections to my dearest Martha, and the young ones, and accept the assurances of them to yourself.

TO HIS EXCELLENCY GOVERNOR JOHN TYLER.

WASHINGTON, February 16, 1809.

SIR,—I have duly received your favor of the 11th, covering resolutions of the General Assembly of Virginia on our foreign relations, and an address to myself, on my approaching retirement; and I ask leave, through the same channel, to return the enclosed answer. Nothing can give me more sincere satisfaction than this kind and honorable testimony from the General Assembly of my native State,—a State in which I have drawn my first and shall draw my latest breath, and to which I retire with inexpressible pleasure. I am equally sensible of your goodness, in the approving terms in which you have made this communication. The concurrence of a veteran patriot, who from the first dawn of the revolution to this day has pursued unchangeably the same honest course, cannot but be flattering to his fellow laborers. I pray you to accept the assurances of my sincere esteem and respect.

TO BENJAMIN STODDART.

WASHINGTON, February 18, 1809.

SIR,—Your favor of January 25th had been duly received, and I was waiting in the hope I might find a moment of less pressure in which I might answer it somewhat in detail, when that of the 14th inst. came to hand. Finding that, instead of any relax-

ation of business, it crowds more on me as I approach my departure. I can only indulge myself in a very brief reply. As to the rights of the United States as a neutral power, our opinions are very different, mine being that when two nations go to war, it does not abridge the rights of neutral nations but in the two articles of blockade and contraband of war. But on this subject we have both probably read and thought so much as to have made up our minds, and it is not likely that either can make a convert of the other. With respect to the interests of the United States in this exuberant commerce which is now bringing war on us, we concur perfectly. It brings us into collision with other powers in every sea, and will force us into every war of the European powers. The converting this great agricultural country into a city of Amsterdam,—a mere headquarters for carrying on the commerce of all nations with one another, is too absurd. Yet this is the real object of the drawback system,—it enriches a few individuals, but lessens the stock of native productions, by withdrawing from them all the hands thus employed; it is essentially interesting to us to have shipping and seamen enough to carry our surplus produce to market; but beyond that, I do not think we are bound to give it encouragement by drawbacks or other premiums. I wish you may be right in supposing that the trading States would now be willing to give up the drawbacks, and to denationalize all ships taking foreign articles on board for any other

destination than the United States, on being secured by discriminating duties, or otherwise in the exclusive carryage of the produce of the United States. I should doubt it. Were such a proposition to come *from them*, I presume it would meet with little difficulty. Otherwise, I suppose it must wait till peace, when the right of drawback will be less valued than the exclusive carryage of our own produce.

No apology was necessary for the letters you were so kind as to write me on this subject. I have always received with thankfulness the ideas of judicious persons on subjects interesting to the public. In the present case, I thought I should better fulfil your objects by communicating your letters to my successor, to whose views I have thought it my duty to give the lead, ever since his designation, as to all matters which he would have to execute. Nothing will probably be done on this subject in the few days between this and my retirement; and in that situation I shall certainly divorce myself from all part in political affairs. To get rid of them is the principal object of my retirement, and the first thing necessary to the happiness which, you justly observe, it is in vain to look for in any other situation. I pray you to accept my salutations, and assurances of respect.

TO JOHN HOLLINS.

WASHINGTON, February 19, 1809.

DEAR SIR,—A little transaction of mine, as innocent a one as I ever entered into, and where an improper construction was never less expected, is making some noise, I observe, in your city. I beg leave to explain it to you, because I mean to ask your agency in it. The last year, the Agricultural Society of Paris, of which I am a member, having had a plough presented to them, which, on trial with a graduated instrument, did equal work with half the force of their best ploughs, they thought it would be a benefit to mankind to communicate it. They accordingly sent one to me, with a view to its being made known here, and they sent one to the Duke of Bedford also, who is one of their members, to be made use of for England, although the two nations were then at war. By the Mentor, now going to France, I have given permission to two individuals in Delaware and New York, to import two parcels of Merino sheep from France, which they have procured there, and to some gentlemen in Boston, to import a very valuable machine which spins cotton, wool, and flax equally. The last spring, the Society informed me they were cultivating the cotton of the Levant and other parts of the Mediterranean, and wished to try also that of our southern States. I immediately got a friend to have two tierces of seed forwarded to me. They were consigned to Messrs.

Falls and Brown of Baltimore, and notice of it being given me, I immediately wrote to them to re-ship them to New York, to be sent by the Mentor. Their first object was to make a show of my letter, as something very criminal, and to carry the subject into the newspapers. I had, on a like request, some time ago, (but before the embargo,) from the President of the Board of Agriculture of London, of which I am also a member, to send them some of the genuine May wheat of Virginia, forwarded to them two or three barrels of it. General Washington, in his time, received from the same Society the seed of the perennial succory, which Arthur Young had carried over from France to England, and I have since received from a member of it the seed of the famous turnip of Sweden, now so well known here. I mention these things, to show the nature of the correspondence which is carried on between societies instituted for the benevolent purpose of communicating to all parts of the world whatever useful is discovered in any one of them. These societies are always in peace, however their nations may be at war. Like the republic of letters, they form a great fraternity spreading over the whole earth, and their correspondence is never interrupted by any civilized nation. Vaccination has been a late and remarkable instance of the liberal diffusion of a blessing newly discovered. It is really painful, it is mortifying, to be obliged to note these things, which are known to every one who knows anything, and felt with approbation by every

one who has any feeling. But we have a faction, to whose hostile passions the torture even of right into wrong is a delicious gratification. Their malice I have long learned to disregard, their censure to deem praise. But I observe that some republicans are not satisfied (even while we are receiving liberally from others) that this small return should be made. They will think more justly at another day; but, in the meantime, I wish to avoid offence. My prayer to you, therefore, is, that you will be so good, under the enclosed order, as to receive these two tierces of seed from Falls and Brown, and pay them their disbursements for freight, etc., which I will immediately remit you on knowing the amount. Of the seed, when received, be so good as to make manure for your garden. When rotted with a due mixture of stable manure or earth, it is the best in the world. I rely on your friendship to excuse this trouble, it being necessary I should not commit myself again to persons of whose honor, or the want of it, I know nothing.

Accept the assurances of my constant esteem and respect.

TO M. HENRI GREGOIRE, EVEQUE ET SENATEUR À PARIS.

WASHINGTON, February 25, 1809.

SIR,—I have received the favor of your letter of August 17th, and with it the volume you were so kind

as to send me on the "Literature of Negroes." Be assured that no person living wishes more sincerely than I do, to see a complete refutation of the doubts I have myself entertained and expressed on the grade of understanding allotted to them by nature, and to find that in this respect they are on a par with ourselves. My doubts were the result of personal observation on the limited sphere of my own State, where the opportunities for the development of their genius were not favorable, and those of exercising it still less so. I expressed them therefore with great hesitation; but whatever be their degree of talent it is no measure of their rights. Because Sir Isaac Newton was superior to others in understanding, he was not therefore lord of the person or property of others. On this subject they are gaining daily in the opinions of nations, and hopeful advances are making towards their re-establishment on an equal footing with the other colors of the human family. I pray you therefore to accept my thanks for the many instances you have enabled me to observe of respectable intelligence in that race of men, which cannot fail to have effect in hastening the day of their relief; and to be assured of the sentiments of high and just esteem and consideration which I tender to yourself with all sincerity.

TO M. RUELLE, ANCIEN AGENT DIPLOMATIQUE, RUE D'ARGENTINE, NO. 38, À PARIS.

WASHINGTON, February 25, 1809.

SIR,—I have duly received your favors of May 29th and July 11th, and with this last a copy of your Constitution with the new augmentations. Our usages not permitting me to present it formally to the Legislature of the nation, I have deposited it in their library, where all its members will have an opportunity of profiting of its truths, and it will be, as you desire, in a depôt beyond the reach of violence. No interests are dearer to men than those which ought to be secured to them by their form of government, and none deserve better of them than those who contribute to the amelioration of that form. The consciousness of having deserved well of mankind for your endeavors to be useful to them in this line, will be itself a high reward, to which will be added the homage of those who shall have reaped the benefits of them. I ask permission on my part to tender you the assurances of my esteem and great respect.

TO THOMAS MANN RANDOLPH.

WASHINGTON, February 28, 1809.

MY DEAR SIR,—By yesterday's mail I learn that it would be the desire of many of the good citizens of our country to meet me on the road on my return

home, as a manifestation of their good will. But it is quite impossible for me to ascertain the day on which I shall leave this. The accumulated business at the close of a session will prevent my making any preparation for my departure till after the 4th of March. After that, the arrangement of papers and business to be delivered over to my successor, the winding up my own affairs, and clearing out from this place, will employ me for several days, (I cannot conjecture even how many,) so as to render the commencement, and consequently the termination of my journey, altogether uncertain. But it is a sufficient happiness to me to know that my fellow citizens of the country generally entertain for me the kind sentiments which have prompted this proposition, without giving to so many the trouble of leaving their homes to meet a single individual. I shall have opportunities of taking them individually by the hand at our court-house and other public places, and of exchanging assurances of mutual esteem. Certainly it is the greatest consolation to me to know, that in returning to the bosom of my native country, I shall be again in the midst of their kind affections: and I can say with truth that my return to them will make me happier than I have been since I left them. Nothing will be wanting on my part to merit the continuance of their good will. The House of Representatives passed yesterday, by a vote of 81 to 40, the bill from the Senate repealing the embargo the 4th of March, except against Great Britain and

France and their dependencies, establishing a non-intercourse with them, and having struck out the clause for letters of marque and reprisal, which it is thought the Senate will still endeavor to reinstate. I send you a paper containing the last Spanish news. Yours affectionately.

TO MESSRS. GREGG AND LEIB, SENATORS OF PENNSYLVANIA.—MR. SMILIE.

WASHINGTON, March 2, 1809.

GENTLEMEN,—I have just received the enclosed with a request that I would lay it before both Houses of Congress. But I have never presumed to place myself between the Legislative Houses and those who have a constitutional right to address them directly. I take the liberty therefore of enclosing the paper to you, that you may do therein what in your judgment shall best comport with expediency and propriety.

I pray you to be assured of my high consideration.

TO MONSIEUR DUPONT DE NEMOURS.

WASHINGTON, March 2, 1809.

DEAR SIR,—My last to you was of May 2. ; since which I have received yours of May the 25th, June the 1st, July the 23d, 24th, and September the 5th, and distributed the two pamphlets according to your

desire. They are read with the delight which everything from your pen gives.

After using every effort which could prevent or delay our being entangled in the war of Europe, that seems now our only resource. The edicts of the two belligerents, forbidding us to be seen on the ocean, we met by an embargo. This gave us time to call home our seamen, ships and property, to levy men and put our seaports into a certain state of defence. We have now taken off the embargo, except as to France and England and their territories, because fifty millions of exports, annually sacrificed, are the treble of what war would cost us; besides, that by war we should take something, and lose less than at present. But to give you a true description of the state of things here, I must refer you to Mr. Coles, the bearer of this, my secretary, a most worthy, intelligent and well-informed young man, whom I recommend to your notice, and conversation on our affairs. His discretion and fidelity may be relied on. I expect he will find you with Spain at your feet, but England still afloat, and a barrier to the Spanish colonies. But all these concerns I am now leaving to be settled by my friend Mr. Madison. Within a few days I retire to my family, my books and farms; and having gained the harbor myself, I shall look on my friends still buffeting the storm with anxiety indeed, but not with envy. Never did a prisoner, released from his chains, feel such relief as I shall on shaking off the shackles of

power. Nature intended me for the tranquil pursuits of science, by rendering them my supreme delight. But the enormities of the times in which I have lived, have forced me to take a part in resisting them, and to commit myself on the boisterous ocean of political passions. I thank God for the opportunity of retiring from them without censure, and carrying with me the most consoling proofs of public approbation. I leave everything in the hands of men so able to take care of them, that if we are destined to meet misfortunes, it will be because no human wisdom could avert them. Should you return to the United States, perhaps your curiosity may lead you to visit the hermit of Monticello. He will receive you with affection and delight; hailing you in the meantime with his affectionate salutations and assurances of constant esteem and respect.

P. S. If you return to us, bring a couple of pair of true-bred shepherd's dogs. You will add a valuable possession to a country now beginning to pay great attention to the raising sheep.

TO GENERAL JOHN ARMSTRONG.

WASHINGTON, March 5, 1809.

DEAR SIR,—This will be handed you by Mr. Coles, the bearer of public despatches, by an *aviso*. He has lived with me as Secretary, is my wealthy neighbor at Monticello, and worthy of all confidence. His

intimate knowledge of our situation has induced us to send him, because he will be a full supplement as to all those things which cannot be detailed in writing. He can possess you of our present situation much more intimately than you can understand it from letters. The belligerent edicts rendered our embargo necessary to call home our ships, our seamen, and property. We expected some effect, too, from the coercion of interest. Some it has had; but much less on account of evasions, and domestic opposition to it. After fifteen months' continuance it is now discontinued, because, losing $50,000,000 of exports annually by it, it costs more than war, which might be carried on for a third of that, besides what might be got by reprisal. War therefore must follow if the edicts are not repealed before the meeting of Congress in May. You have thought it advisable sooner to take possession of adjacent territories. But we know that they are ours the first moment that any war is forced upon us for other causes, that we are at hand to anticipate their possession, if attempted by any other power, and, in the meantime, we are lengthening the term of our prosperity, liberating our revenues, and increasing our power. I suppose Napoleon will get possession of Spain; but her colonies will deliver themselves to any member of the Bourbon family. Perhaps Mexico will choose its sovereign within itself. He will find them much more difficult to subdue than Austria or Prussia; because an enemy (even in peace an enemy) pos-

sesses the element over which he is to pass to get at them; and a more powerful enemy (climate) will soon mow down his armies after arrival. This will be, without any doubt, the most difficult enterprise the emperor has ever undertaken. He may subdue the small colonies; he never can the old and strong; and the former will break off from him the first war he has again with a naval power.

I thank you for having procured for me the dynamometer which I have safely received, as well as the plough. Mr. Coles will reimburse what you were so kind as to advance for me on that account. The letters which will be written you by the new Secretary of State (Mr. Smith) will say to you what is meant to be official. For although I too have written on politics, it is merely as a private individual, which I am now happily become. Within two or three days I retire from scenes of difficulty, anxiety, and of contending passions, to the elysium of domestic affections, and the irresponsible direction of my own affairs. Safe in port myself, I shall look anxiously at my friends still buffeting the storm, and wish you all safe in port also. With my prayers for your happiness and prosperity, accept the assurances of my sincere friendship and great respect.

TO BARON ALEXANDER VON HUMBOLDT.

WASHINGTON, March 6, 1809.

DEAR SIR,—I received safely your letter of May 30th, and with it your astronomical work and political essay on the kingdom of New Spain, for which I return you my sincere thanks. I had before heard that this work had begun to appear, and the specimen I have received proves that it will not disappoint the expectations of the learned. Besides making known to us one of the most singular and interesting countries on the globe, one almost locked up from the knowledge of man hitherto, precious additions will be made to our stock of physical science, in many of its parts. We shall bear to you therefore the honorable testimony that you have deserved well of the republic of letters.

You mention that you had before written other letters to me. Be assured I have never received a single one, or I should not have failed to make my acknowledgments of it. Indeed I have not waited for that, but for the certain information, which I had not, of the place where you might be. Your letter of May 30th first gave me that information. You have wisely located yourself in the focus of the science of Europe. I am held by the cords of love to my family and country, or I should certainly join you. Within a few days I shall now bury myself in the groves of Monticello, and become a mere spectator of the passing events. On politics I will say nothing,

because I would not implicate you by addressing to you the republican ideas of America, deemed horrible heresies by the royalism of Europe. You will know before this reaches you, that Mr. Madison is my successor. This ensures to us a wise and honest administration. I salute you with sincere friendship and respect.

TO WILLIAM SHORT.

WASHINGTON, March 8, 1809.

DEAR SIR,—It is with much concern I inform you that the Senate has negatived your appointment. We thought it best to keep back the nomination to the close of the session, that the mission might remain secret as long as possible, which you know was our purpose from the beginning. It was then sent in with an explanation of its object and motives. We took for granted, if any hesitation should arise, that the Senate would take time, and that our friends in that body would make inquiries of us, and give us the opportunity of explaining and removing objections. But to our great surprise, and with an unexampled precipitancy, they rejected it at once. This reception of the last of my official communications to them, could not be unfelt, nor were the causes of it spoken out by them. Under this uncertainty, Mr. Madison, on his entering into office, proposed another person (John Q. Adams). He also was negatived, and they adjourned *sine die*. Our subsequent infor-

mation was that, on your nomination, your long absence from this country, and their idea that you do not intend to return to it, had very sensible weight; but that all other motives were superseded by an unwillingness to extend our diplomatic connections, and a desire even to recall the foreign ministers we already have. All were sensible of the great virtues, the high character, the powerful influence, and valuable friendship of the emperor. But riveted to the system of unentanglement with Europe, they declined the proposition. On this subject you will receive the official explanations from Mr. Smith, the Secretary of State. I pray you to place me *rectus in curia* in this business with the emperor, and to assure him that I carry into my retirement the highest veneration for his virtues, and fondly cherish the belief that his dispositions and power are destined by heaven to better, in some degree at least, the condition of oppressed man.

I have nothing new to inform you as to your private friends or acquaintances. Our embargo has worked hard. It has in fact federalized three of the New England States. Connecticut you know was so before. We have substituted for it a non-intercourse with France and England and their dependencies, and a trade to all other places. It is probable the belligerents will take our vessels under their edicts, in which case we shall probably declare war against them.

I write this in the midst of packing and preparing

for my departure, of visits of leave, and interruptions of every kind. I must therefore conclude with my affectionate adieu to you, and assurances of my constant attachment and respect.

TO THE PRESIDENT OF THE UNITED STATES (JAMES MADISON).

MONTICELLO, March 17, 1809.

DEAR SIR,—On opening my letters from France, in the moment of my departure from Washington, I found from their signatures that they were from literary characters, except one from Mr. Short, which mentioned in the outset that it was private, and that his public communications were in the letter to the Secretary of State, which I sent you. I find, however, on reading his letter to me (which I did not do till I got home) a passage of some length proper to be communicated to you, and which I have therefore extracted.

I had a very fatiguing journey, having found the roads excessively bad, although I have seen them worse. The last three days I found it better to be on horseback, and travelled eight hours through as disagreeable a snow storm as I was ever in. Feeling no inconvenience from the expedition but fatigue, I have more confidence in my *vis vitæ* than I had before entertained. The spring is remarkably backward. No oats sown, not much tobacco seed, and little done in the gardens. Wheat has suffered con-

siderably. No vegetation visible yet but the red maple, weeping willow and lilac. Flour is said to be at eight dollars at Richmond, and all produce is hurrying down.

I feel great anxiety for the occurrences of the ensuing four or five months. If peace can be preserved, I hope and trust you will have a smooth administration. I know no government which would be so embarrassing in war as ours. This would proceed very much from the lying and licentious character of our papers; but much, also, from the wonderful credulity of the members of Congress in the floating lies of the day. And in this no experience seems to correct them. I have never seen a Congress during the last eight years, a great majority of which I would not implicitly have relied on in any question, could their minds have been purged of all errors of fact. The evil, too, increases greatly with the protraction of the session, and I apprehend, in case of war, their session would have a tendency to become permanent. It is much, therefore, to be desired that war may be avoided, if circumstances will admit. Nor in the present maniác s ate of Europe, should I estimate the point of honor by the ordinary scale. I believe we shall, on the contrary, have credit with the world, for having made the avoidance of being engaged in the present unexampled war, our first object. War, however, may become a less losing business than unresisted depredation. With every

wish that events may be propitious to your administration, I salute you with sincere affection and every sympathy of the heart.

TO WILLIAM M'ANDLESS, ESQ., PITTSBURG.

MONTICELLO, March 29, 1809.

SIR,—I received on the evening of the 1st of March the resolution enclosed in your letter of February 20th, for the purpose of being laid before both Houses of Congress. Usage, and perhaps sound principle, not permitting the President to place himself between the representatives and their constituents, who have a right to address their Legislature directly, I delivered the next day a copy of your resolutions to a member of Pennsylvania in each House of Congress. But as that body was to rise on the day ensuing that, the mass of indispensable business crowding on the last moments of the session scarcely admitted the opportunity of a compliance with your wishes.

I avail myself of this occasion of returning sincere thanks for the kind dispositions towards myself expressed in your letter, and for the sentiments which it conveys, of approbation of my conduct in the administration of the public affairs. If that conduct has met the general approbation of my country, it is the highest reward I can receive; and I shall ever feel towards them that gratitude which the confidence they have favored me with so eminently calls for. Accept for yourself the assurances of my high respect.

TO THE INHABITANTS OF ALBEMARLE COUNTY, IN VIRGINIA.

MONTICELLO, April 3, 1809.

Returning to the scenes of my birth and early life, to the society of those with whom I was raised, and who have been ever dear to me, I receive, fellow citizens and neighbors, with inexpressible pleasure, the cordial welcome you are so good as to give me. Long absent on duties which the history of a wonderful era made incumbent on those called to them, the pomp, the turmoil, the bustle and splendor of office, have drawn but deeper sighs for the tranquil and irresponsible occupations of private life, for the enjoyment of an affectionate intercourse with you, my neighbors and friends, and the endearments of family love, which nature has given us all, as the sweetener of every hour. For these I gladly lay down the distressing burden of power, and seek, with my fellow citizens, repose and safety under the watchful cares, the labors and perplexities of younger and abler minds. The anxieties you express to administer to my happiness, do, of themselves, confer that happiness; and the measure will be complete, if my endeavors to fulfil my duties in the several public stations to which I have been called, have obtained for me the approbation of my country. The part which I have acted on the theatre of public life, has been before them; and to their sentence I submit it; but the testimony of my native county,

of the individuals who have known me in private life, to my conduct in its various duties and relations, is the more grateful, as proceeding from eye witnesses and observers, from triers of the vicinage. Of you, then, my neighbors, I may ask, in the face of the world, "whose ox have I taken, or whom have I defrauded? Whom have I oppressed, or of whose hand have I received a bribe to blind mine eyes therewith?" On your verdict I rest with conscious security. Your wishes for my happiness are received with just sensibility, and I offer sincere prayers for your own welfare and prosperity.

TO GOVERNOR JAMES JAY.

MONTICELLO, April 7, 1809.

DEAR SIR,—Your favor of February 27th came to hand on the 3d of March. The occupations of the moment and of those which have followed must be my apology for this late acknowledgment. The plan of civilizing the Indians is undoubtedly a great improvement on the ancient and totally ineffectual one of beginning with religious missionaries. Our experience has shown that this must be the last step of the process. The following is what has been successful: 1st, to raise cattle, etc., and thereby acquire a knowledge of the value of property; 2d, arithmetic, to calculate that value; 3d, writing, to keep accounts, and here they begin to enclose farms, and the men to labor, the women to spin and weave; 4th, to read

"Æsop's Fables" and "Robinson Crusoe" are their first delight. The Creeks and Cherokees are advanced thus far, and the Cherokees are now instituting a regular government.

An equilibrium of agriculture, manufactures, and commerce, is certainly become essential to our independence. Manufactures, sufficient for our own consumption, of what we raise the raw material (and no more). Commerce sufficient to carry the surplus produce of agriculture, beyond our own consumption, to a market for exchanging it for articles we cannot raise (and no more). These are the true limits of manufactures and commerce. To go beyond them is to increase our dependence on foreign nations, and our liability to war.

These three important branches of human industry will then grow together, and be really handmaids to each other. I salute you with great respect and esteem.

TO COLONEL LARKIN SMITH.

MONTICELLO, April 15, 1809.

DEAR SIR,—I have duly received your very friendly letter of March 28th, and am extremely sensible to the kind spirit it breathes. To be praised by those who themselves deserve all praise, is a gratification of high order. Their approbation who, having been high in office themselves, have information and talents to guide their judgment, is a consolation

deeply felt. A conscientious devotion to republican government, like charity in religion, has obtained for me much indulgence from my fellow citizens, and the aid of able counsellors has guided me through many difficulties which have occurred. The troubles in the East have been produced by English agitators, operating on the selfish spirit of commerce, which knows no country, and feels no passion or principle but that of gain. The inordinate extent given it among us by our becoming the factors of the whole world, has enabled it to control the agricultural and manufacturing interests. When a change of circumstances shall reduce it to an equilibrium with these, to the carrying *our* produce only, to be exchanged for *our* wants, it will return to a wholesome condition for the body politic, and that beyond which it should never more be encouraged to go. The repeal of the drawback system will either effect this, or bring sufficient sums into the treasury to meet the wars we shall bring on by our covering every sea with our vessels. But this must be the work of peace. The correction will be after my day, as the error originated before it. I thank you sincerely for your kind good wishes, and offer my prayers for your health and welfare, with every assurance of my great esteem and respect.

P. S. I thank you for the information of your letter of the 4th, this moment received. I sincerely wish the British orders may be repealed. If they are, it

will be because the nation will not otherwise let the ministers keep their places. Their object has unquestionably been fixed to establish the Algerine system, and to maintain their possession of the ocean by a system of piracy against all nations.

TO THE PRESIDENT OF THE UNITED STATES (JAMES MADISON).

MONTICELLO, April 19, 1809.

DEAR SIR,—I have to acknowledge your favor of the 9th, and to thank you for the political information it contained. Reading the newspapers but little and that little but as the romance of the day, a word of truth now and then comes like the drop of water on the tongue of Dives. If the British ministry are changing their policy towards us, it is because their nation, or rather the city of London, which is the nation to them, is shaken as usual, by the late reverses in Spain. I have for some time been persuaded that the government of England was systematically decided to claim a dominion of the sea, and to levy contributions on all nations, by their licenses to navigate, in order to maintain that dominion to which their own resources are inadequate. The mobs of their cities are unprincipled enough to support this policy in prosperous times, but change with the tide of fortune, and the ministers, to keep their places, change with them. I wish Mr. Oakley may not embarrass you with his conditions of revoking

the orders of council. Enough of the non-importation law should be reserved, 1st, to pinch them into a relinquishment of impressments, and 2d, to support those manufacturing establishments which their orders, and our interests, forced us to make.

I suppose the conquest of Spain will soon force a delicate question on you as to the Floridas and Cuba, which will offer themselves to you. Napoleon will certainly give his consent without difficulty to our receiving the Floridas, and with some difficulty possibly Cuba. And though he will disregard the obligation whenever he thinks he can break it with success, yet it has a great effect on the opinion of our people and the world to have the moral right on our side, of his agreement as well as that of the people of those countries.

Mr. Hackley's affair is really unfortunate. He has been driven into this arrangement by his distresses, which are great. He is a perfectly honest man, as is well known here where he was born, but unaccustomed to political subjects, he has not seen it in that view. But a respect for the innocence of his views cannot authorize the sanction of government to such an example. * * * *

TO THE PRESIDENT OF THE UNITED STATES (JAMES MADISON).

MONTICELLO, April 27, 1809.

DEAR SIR,—Yours of the 24th came to hand last night. The correspondence between Mr. Smith and

Mr. Erskine had been received three days before. I sincerely congratulate you on the change it has produced in our situation. It is the source of very general joy here, and could it have arrived one month sooner would have had important effects, not only on the elections of other States, but of this also, from which it would seem that wherever there was any considerable portion of federalism it has been so much reinforced by those of whose politics the price of wheat is the sole principle, that federalists will be returned from many districts of this State. The British ministry has been driven from its Algerine system, not by any remaining morality in the people, but by their unsteadiness under severe trial. But whencesoever it comes, I rejoice in it as the triumph of our forbearing and yet persevering system. It will lighten your anxieties, take from Cabal its most fertile ground of war, will give us peace during your time, and by the complete extinguishment of our public debt, open upon us the noblest application of revenue that has ever been exhibited by any nation. I am sorry they are sending a minister to attempt a treaty. They never made an equal commercial treaty with any nation, and we have no right to expect to be the first. It will place you between the injunctions of true patriotism and the clamors of a faction devoted to a foreign interest, in preference to that of their own country. It will confirm the English too in their practice of whipping us into a treaty. They did it in Jay's case, were near it in Monroe's,

and on failure of that, have applied the scourge with tenfold vigor, and now come on to try its effect. But it is the moment when we should prove our consistence, by recurring to the principles we dictated to Monroe, the departure from which occasioned our rejection of his treaty, and by protesting against Jay's treaty being ever quoted, or looked at, or even mentioned. That form will forever be a millstone round our necks unless we now rid ourselves of it once for all. The occasion is highly favorable, as we never can have them more in our power.

As to Bonaparte, I should not doubt the revocation of his edicts, were he governed by reason. But his policy is so crooked that it eludes conjecture. I fear his first object now is to dry up the sources of British prosperity by excluding her manufactures from the continent. He may fear that opening the ports of Europe to our vessels will open them to an inundation of British wares. He ought to be satisfied with having forced her to revoke the orders on which he pretended to retaliate, and to be particularly satisfied with us, by whose unyielding adherence to principle she has been forced into the revocation. He ought the more to conciliate our good will, as we can be such an obstacle to the new career opening on him in the Spanish colonies. That he would give us the Floridas to withhold intercourse with the residue of those colonies, cannot be doubted. But that is no price; because they are ours in the first moment of the first war; and until a war they are of no partic-

ular necessity to us. But, although with difficulty, he will consent to our receiving Cuba into our Union, to prevent our aid to Mexico and the other provinces. That would be a price, and I would immediately erect a column on the southernmost limit of Cuba, and inscribe on it a *ne plus ultra* as to us in that direction. We should then have only to include the north in our Confederacy, which would be of course in the first war, and we should have such an empire for liberty as she has never surveyed since the creation; and I am persuaded no constitution was ever before so well calculated as ours for extensive empire and self-government. As the Mentor went away before this change, and will leave France probably while it is still a secret in that hemisphere, I presume the expediency of pursuing her by a swift sailing despatch was considered. It will be objected to our receiving Cuba, that no limit can then be drawn to our future acquisitions. Cuba can be defended by us without a navy, and this develops the principle which ought to limit our views. Nothing should ever be accepted which would require a navy to defend it.

Our spring continues cold and backward, rarely one growing day without two or three cold ones following. Wheat is of very various complexions from very good to very bad. Fruit has not suffered as much as was expected, except in peculiar situations. Gardens are nearly a month behind their usual state. I thank you for the squashes from Maine; they shall be planted to-day. I salute you with sincere and constant affection.

TO HORATIO G. SPAFFORD.

MONTICELLO, May 14, 1809.

SIR,—I have duly received your favor of April 3d, with the copy of your "General Geography," for which I pray you to accept my thanks. My occupations here have not permitted me to read it through, which alone could justify any judgment expressed on the work. Indeed, as it appears to be an abridgment of several branches of science, the scale of abridgment must enter into that judgment. Different readers require different scales according to the time they can spare, and their views in reading, and no doubt that the view of the sciences which you have brought into the compass of a 12mo volume will be accommodated to the time and object of many who may wish for but a very general view of them.

In passing my eye rapidly over parts of the book, I was struck with two passages, on which I will make observations, not doubting your wish, in any future edition, to render the work as correct as you can. In page 186 you say the potato is a native of the United States. I presume you speak of the Irish potato. I have inquired much into the question, and think I can assure you that plant is not a native of North America. Zimmerman, in his "Geographical Zoology," says it is a native of Guiana; and Clavigero, that the Mexicans got it from South America, *its native country*. The most probable account I

have been able to collect is, that a vessel of Sir Walter Raleigh's, returning from Guiana, put into the west of Ireland in distress, having on board some potatoes which they called earth-apples. That the season of the year, and circumstance of their being already sprouted, induced them to give them all out there, and they were no more heard or thought of, till they had been spread considerably into that island, whence they were carried over into England, and therefore called the Irish potato. From England they came to the United States, bringing their name with them.

The other passage respects the description of the passage of the Potomac through the Blue Ridge, in the Notes on Virginia. You quote from Volney's account of the United States what his words do not justify. His words are, "on coming from Fredericktown, one does not see the rich perspective mentioned in the Notes of Mr. Jefferson. On observing this to him a few days after, he informed me he had his information from a French engineer who, during the war of Independence, ascended the height of the hills, and I conceive that at that elevation the perspective must be as imposing as a wild country, whose horizon has no obstacles, may present." That the scene described in the "Notes" is not visible from any part of the road from Fredericktown to Harper's ferry is most certain. That road passes along the valley, nor can it be seen from the tavern after crossing the ferry; and we may fairly

infer that Mr. Volney did not ascend the height back of the tavern from which alone it can be seen, but that he pursued his journey from the tavern along the high road. Yet he admits, that at the elevation of that height the perspective may be as rich as a wild country can present. But you make him "surprised to find, *by a view of the spot*, that the description was *amazingly exaggerated.*" But it is evident that Mr. Volney did not ascend the hill to *get a view of the spot*, and that he supposed that that height may present as imposing a view as such a country admits. But Mr. Volney was mistaken in saying I told him I had received the description from a French engineer. By an error of memory he has misapplied to this scene what I mentioned to him as to the Natural Bridge. I told him I received a *drawing* of that from a French engineer sent there by the Marquis de Chastellux, and who has published that drawing in his travels. I could not tell him I had the description of the passage of the Potomac from a French engineer, because I never heard any Frenchman say a word about it, much less did I ever receive a description of it from any mortal whatever. I visited the place myself in October, 1783, wrote the description some time after, and printed the work in Paris in 1784–5. I wrote the description from my own view of the spot, stated no fact but what I saw, and can now affirm that no fact is exaggerated. It is true that the same scene may excite very different sensations in different spectators, according to their

different sensibilities. The sensations of some may be much stronger than those of others. And with respect to the Natural Bridge, it was not a description, but a drawing only, which I received from the French engineer. The description was written before I ever saw him. It is not from any merit which I suppose in either of these descriptions, that I have gone into these observations, but to correct the imputation of having given to the world as my own, ideas, and false ones too, which I had received from another. Nor do I mention the subject to you with a desire that it should be any otherwise noticed before the public than by a more correct statement in any future edition of your work.

You mention having enclosed to me some printed letters announcing a design in which you ask my aid. But no such letters came to me. Any facts which I possess, and which may be useful to your views, shall be freely communicated, and I shall be happy to see you at Monticello, should you come this way as you propose. You will find me engaged entirely in rural occupations, looking into the field of science but occasionally and at vacant moments.

I sowed some of the Benni seed the last year, and distributed some among my neighbors; but the whole was killed by the September frost. I got a little again the last winter, but it was sowed before I received your letter. Colonel Fen of New York receives quantities of it from Georgia, from whom you may probably get some through the Mayor of

New York. But I little expect it can succeed with you. It is about as hardy as the cotton plant, from which you may judge of the probability of raising it at Hudson.

I salute you with great respect.

TO JOHN WYCHE.

MONTICELLO, May 19, 1809.

SIR,—Your favor of March 19th came to hand but a few days ago, and informs me of the establishment of the Westward Mill Library Society, of its general views and progress. I always hear with pleasure of institutions for the promotion of knowledge among my countrymen. The people of every country are the only safe guardians of their own rights, and are the only instruments which can be used for their destruction. And certainly they would never consent to be so used were they not deceived. To avoid this, they should be instructed to a certain degree. I have often thought that nothing would do more extensive good at small expense than the establishment of a small circulating library in every county, to consist of a few well-chosen books, to be lent to the people of the country, under such regulations as would secure their safe return in due time. These should be such as would give them a general view of other history, and particular view of that of their own country, a tolerable knowledge of Geography, the elements of Natural Philosophy, of Agriculture and

Mechanics. Should your example lead to this, it will do great good. Having had more favorable opportunities than fall to every man's lot of becoming acquainted with the best books on such subjects as might be selected, I do not know that I can be otherwise useful to your society than by offering them any information respecting these which they might wish. My services in this way are freely at their command, and I beg leave to tender to yourself my salutations and assurances of respect.

TO THE HONORABLE JUDGE WOODWARD.

MONTICELLO, May 27, 1809.

SIR,—I have received, very thankfully, the two copies of your pamphlet on the Constitution of the U. S., and shall certainly read them with pleasure. I had formerly looked with great interest to the experiment which was going on in France of an executive Directory, while that of a single elective executive was under trial here. I thought the issue of them might fairly decide the question between the two modes. But the untimely fate of that establishment cut short the experiment.

I have not, however, been satisfied whether the dissensions of that Directory (and which I fear are incident to a plurality) were not the most effective cause of the successful usurpations which overthrew them. It is certainly one of the most interesting questions to a republican, and worthy of great con-

sideration. I thank you for the friendly expressions of your letter towards myself personally, and the sincere happiness I enjoy here, satisfies me that nothing personal or self-interested entered into my motives for continuing in the public service. The actual experiment proves to me that these were all in favor of returning to my present situation. I salute you with great esteem and respect.

TO WILLIAM LAMBERT.

MONTICELLO, May 28, 1809.

SIR,—Your favor of March 14th was received in due time. The apology for so late an acknowledgment of it must be the multiplied occupations of my new situation after so long an absence from it. Truth requires me to add, also, that after being so long chained to the writing table, I go to it with reluctance, and listen with partiality to every call from any other quarter. I have not, however, been the less sensible of the kind sentiments expressed in your letter, nor the less thankful for them. Indeed I owe infinite acknowledgments to the republican portion of my fellow citizens for the indulgence with which they have viewed my proceedings generally. In the transaction of their affairs I never felt an interested motive. The large share I have enjoyed, and still enjoy of anti-republican hatred and calumny, gives me the satisfaction of supposing that I have been some obstacle to anti-republican designs; and

if truth should find its way into history, the object of these falsehoods and calumnies will render them honorable to me. With sincere wishes for your welfare and happiness, I tender you the assurances of my esteem and respect.

TO DOCTOR ELIJAH GRIFFITH, PHILADELPHIA.

MONTICELLO, May 28, 1809.

DEAR SIR,—Your favor of November 14th came to me in due time, but much oppressed with business then and to the end of my political term, I put it by as I did the civilities of my other friends, till the leisure I expected here should permit me to acknowledge them without the neglect of any public duty. I am very sensible of the kindness of the sentiments expressed in your letter, and of the general indulgence with which my republican friends generally, and those of Pennsylvania particularly, have received my public proceedings. I hope I may be allowed to say that they were always directed by a single view to the best interests of our country. In the electoral election, Pennsylvania really spoke in a voice of thunder to the monarchists of our country, and while that State continues so firm, with the solid mass of republicanism to the South and West, such efforts as we have lately seen in the anti-republican portion of our country cannot ultimately affect our security. Our enemies may try their cajoleries with my successor. They will find him as immovable in his

republican principles as him whom they have honored with their peculiar enmity. The late pacification with England gives us a hope of eight years of peaceable and wise administration, within which time our revenue will be liberated from debt, and be free to commence that splendid course of public improvement and wise application of the public contributions, of which it remains for us to set the first example. I salute you with real esteem and respect.

TO THE HON. ROBERT SMITH, SECRETARY OF STATE.

MONTICELLO, June 10, 1809.

DEAR SIR,—I enclose you a letter from Mr. Smith of Erie, one of the members of Pennsylvania, which you will readily perceive ought to have been addressed to you by himself; as it is official and not personal opinion which can answer his views. I am, however, gratified by his mistake in sending it to me, inasmuch as it gives me an opportunity of abstracting myself from my rural occupations, and of saluting one with whom I have been connected in service and in society so many years, and to whose aid and relief on an important portion of the public cares, I have been so much indebted. I do it with sincere affection and gratitude, and look back with peculiar satisfaction on the harmony and cordial good will which, to ourselves and to our brethren of the Cabinet, so much sweetened our toils. From the characters now associated in the administration, I have no

doubt of the continuance of the same cordiality so interesting to themselves and to the public; and great as are the difficulties and dangers environing our camp, I sleep with perfect composure, knowing who are watching for us. I pray you to present me respectfully to Mrs. Smith, and to accept my prayers that you may long continue in the enjoyment of health and the public esteem in return for your useful services past and to come.

TO WILSON C. NICHOLAS.

MONTICELLO, June 13, 1809.

DEAR SIR,—I did not know till Mr. Patterson called on us, a few days ago, that you had passed on to Washington. I had recently observed in the debates of Congress, a matter introduced, on which I wished to give explanations more fully in conversation, which I will now do by abridgment in writing. Mr. Randolph has proposed an inquiry into certain prosecutions at common law in Connecticut, for libels on the government, and not only himself but others have stated them with such affected caution, and such hints at the same time, as to leave on every mind the impression that they had been instituted either by my direction, or with my acquiescence, at least. This has not been denied by my friends, because probably the fact is unknown to them. I shall state it for their satisfaction, and leave it to be disposed of as they think best.

I had observed in a newspaper, (some years ago, I do not recollect the time exactly,) some dark hints of a prosecution in Connecticut, but so obscurely hinted that I paid little attention to it. Some considerable time after, it was again mentioned, so that I understood that some prosecution was going on in the federal court there, for calumnies uttered from the pulpit against me by a clergyman. I immediately wrote to Mr. Granger, who, I think, was in Connecticut at the time, stating that I had laid it down as a law to myself, to take no notice of the thousand calumnies issued against me, but to trust my character to my own conduct, and the good sense and candor of my fellow citizens; that I had found no reason to be dissatisfied with that course, and I was unwilling it should be broke through by others as to any matter concerning me; and I therefore requested him to desire the district attorney to dismiss the prosecution. Some time after this, I heard of subpœnas being served on General Lee, David M. Randolph, and others, as witnesses to attend the trial. I then for the first time conjectured the subject of the libel. I immediately wrote to Mr. Granger, to require an immediate dismission of the prosecution. The answer of Mr. Huntington, the district attorney, was, that these subpœnas had been issued by the defendant without his knowledge, that it had been his intention to dismiss all the prosecutions at the first meeting of the court, and to accompany it with an avowal of his opinion, that they

could not be maintained, because the federal court had no jurisdiction over libels. This was accordingly done. I did not till then know that there were other prosecutions of the same nature, nor do I now know what were their subjects. But all went off together; and I afterwards saw in the hands of Mr. Granger, a letter written by the clergyman, disavowing any personal ill will towards me, and solemnly declaring he had never uttered the words charged. I think Mr. Granger either showed me, or said there were affidavits of at least half a dozen respectable men, who were present at the sermon and swore no such expressions were uttered, and as many equally respectable who swore the contrary. But the clergyman expressed his gratification at the dismission of the prosecution. I write all this from memory, and after too long an interval of time to be certain of the exactness of all the details; but I am sure there is no variation material, and Mr. Granger, correcting small lapses of memory, can confirm every thing substantial. Certain it is, that the prosecutions had been instituted, and had made considerable progress, without my knowledge, that they were disapproved by me as soon as known, and directed to be discontinued. The attorney did it on the same ground on which I had acted myself in the cases of Duane, Callendar, and others; to wit, that the sedition law was unconstitutional and null, and that my obligation to execute what was law, involved that of not suffering rights secured by valid laws, to be pros-

trated by what was no law. I always understood that these prosecutions had been invited, if not instituted, by Judge Edwards, and the marshal being republican, had summoned a grand jury partly or wholly republican; but that Mr. Huntington declared from the beginning against the jurisdiction of the court, and had determined to enter *nolle prosequis* before he received my directions.

I trouble you with another subject. The law making my letters post free, goes to those *to me* only, not those *from* me. The bill had got to its passage before this was observed (and first I believe by Mr. Dana), and the House under too much pressure of business near the close of the session to bring in another bill. As the privilege of freedom was given to the letters *from* as well as *to* both my predecessors, I suppose no reason exists for making a distinction. And in so extensive a correspondence as I am subject to, and still considerably on public matters, it would be a sensible convenience to myself, as well as those who have occasion to receive letters from me. It happens too, as I was told at the time, (for I have never looked into it myself,) that it was done by two distinct acts on both the former occasions. Mr. Eppes, I think, mentioned this to me. I know from the Postmaster General, that Mr. Adams franks all his letters. I state this matter to you as being my representative, which must apologize for the trouble of it. We have been seasonable since you left us. Yesterday evening and this morning we have had

refreshing showers, which will close and confirm the business of planting. Affectionately yours.

TO GENERAL HENRY DEARBORN.

MONTICELLO, June 14, 1809.

DEAR GENERAL,—So entirely are my habits changed from constant labor at my writing table, to constant active occupation without doors, that it is with difficulty I can resolve to take up my pen. I must do it, however, as a matter of duty to thank you for the dumb-fish you have been so kind as to have forwarded, and which are received safely and are found to be excellent. I do it with pleasure also, as it gives me an opportunity of renewing to you the assurances of my esteem, and of the friendship I shall ever bear you as a faithful fellow-laborer in the duties of the Cabinet, the value of whose aid there has been always justly felt and highly estimated by me. I sincerely congratulate you on the late pacification with England, which while it gives facility and remuneration to your labors in your new functions, restores calm in a great degree to the troubles of our country. Our successors have deserved well of their country in meeting so readily the first friendly advance ever made to us by England. I hope it is the harbinger of a return to the exercise of common sense and common good humor, with a country with which mutual interests would urge a mutual and affectionate intercourse. But

her conduct hitherto has been towards us so insulting, so tyrannical and so malicious, as to indicate a contempt for our opinions or dispositions respecting her. I hope she is now coming over to a wiser conduct, and becoming sensible how much better it is to cultivate the good will of the government itself, than of a faction hostile to it; to obtain its friendship gratis than to purchase its enmity by nourishing at great expense a faction to embarrass it, to receive the reward of an honest policy rather than of a corrupt and vexatious one. I trust she has at length opened her eyes to federal falsehood and misinformation, and learnt, in the issue of the presidential election, the folly of believing them. Such a reconciliation to the government, if real and permanent, will secure the tranquillity of our country, and render the management of our affairs easy and delightful to our successors, for whom I feel as much interest as if I were still in their place. Certainly all the troubles and difficulties in the government during our time proceeded from England; at least all others were trifling in comparison with them.

Some time before I retired from office, I proposed to Mr. Smith of the War Office, to place your son in the list of some nominations for the new army. He called on me and stated that Pickering had prepared materials for an opposition to his appointment, which he was satisfied would be easily met with proper information, but without it, might embarrass and endanger the appointment. We concluded,

therefore, that it was best to put it off to the ensuing session of Congress, and in the meantime give you notice of it. He promised to write and explain the delay to you, and I stated the matter to Mr. Madison, who would attend to the nomination at the proper time. Perhaps late events may supersede all further proceeding as to that army.

Be so good as to present my affectionate respects to Mrs. Dearborn. I hope that her health, as well as your own, may be improved by a return to native climate; and that you may both enjoy as many years as you desire of health and prosperity, is the prayer of yours sincerely and affectionately.

TO MONSIEUR DUPONT. DE NEMOURS.

MONTICELLO, June 28, 1809.

DEAR SIR,—The interruption of our commerce with England, produced by our embargo and non-intercourse law, and the general indignation excited by her barefaced attempts to make us accessories and tributaries to her usurpations on the high seas, have generated in this country an universal spirit for manufacturing for ourselves, and of reducing to a minimum the number of articles for which we are dependent on her. The advantages, too, of lessening the occasions of risking our peace on the ocean, and of planting the consumer in our own soil by the side of the grower of produce, are so palpable, that no temporary suspension of injuries on her part, or

agreements founded on that, will now prevent our continuing in what we have begun. The spirit of manufacture has taken deep root among us, and its foundations are laid in too great expense to be abandoned. The bearer of this, Mr. Ronaldson, will be able to inform you of the extent and perfection of the works produced here by the late state of things; and to his information, which is greatest as to what is doing in the cities, I can add my own as to the country, where the principal articles wanted in every family are now fabricated within itself. This mass of *household* manufacture, unseen by the public eye, and so much greater than what is seen, is such at present, that let our intercourse with England be opened when it may, not one half the amount of what we have heretofore taken from her will ever again be demanded. The great call from the country has hitherto been of coarse goods. These are now made in our families, and the advantage is too sensible ever to be relinquished. It is one of those obvious improvements in our condition which needed only to be once forced on our attention, never again to be abandoned.

Among the arts which have made great progress among us is that of printing. Heretofore we imported our books, and with them much political principle from England. We now print a great deal, and shall soon supply ourselves with most of the books of considerable demand. But the foundation of printing, you know, is the type-foundry, and a material essen-

tial to that is antimony. Unfortunately that mineral is not among those as yet found in the United States, and the difficulty and dearness of getting it from England, will force us to discontinue our type-foundries, and resort to her again for our books, unless some new source of supply can be found. The bearer, Mr. Ronaldson, is of the concern of Binney & Ronaldson, type-founders of Philadelphia. He goes to France for the purpose of opening some new source of supply, where we learn that this article is abundant; the enhancement of the price in England has taught us the fact, that its exportation thither from France must be interrupted, either by the war or express prohibition. Our relations, however, with France, are too unlike hers with England, to place us under the same interdiction. Regulations for preventing the transportation of the article to England, under the cover of supplies to America, may be thought requisite. The bearer, I am persuaded, will readily give any assurances which may be required for this object, and the wants of his own type-foundry here are a sufficient pledge that what he gets is *bona fide* to supply them. I do not know that there will be any obstacle to his bringing from France any quantity of antimony he may have occasion for; but lest there should be, I have taken the liberty of recommending him to your patronage. I know your enlightened and liberal views on subjects of this kind, and the friendly interest you take in whatever concerns our welfare. I place Mr. Ron-

aldson, therefore, in your hands, and pray you to advise him, and patronize the object which carries him to Europe, and is so interesting to him and to our country. His knowledge of what is passing among us will be a rich source of information for you, and especially as to the state and progress of our manufactures. Your kindness to him will confer an obligation on me, and will be an additional title to the high and affectionate esteem and respect of an ancient and sincere friend.

TO THE PRESIDENT OF THE UNITED STATES (JAMES MADISON).

MONTICELLO, July 12, 1809.

DEAR SIR,—Your two letters of the 4th and 7th, were received by the last mail. I now enclose you the rough draught of the letter to the Emperor of Russia. I think there must be an exact *fac simile* of it in the office, from which Mr. Short's must have been copied; because, that the one now enclosed has never been out of my hands, appears by there being no fold in the paper till now, and it is evidently a polygraphical copy. I send, for your perusal, letters of W. Short, and of Warden; because, though private, they contain some things and views perhaps not in the public letters. Bonaparte's successes have been what we expected, although Warden appears to have supposed the contrary possible. It is fortunate for Bonaparte, that he has not caught his

brother Emperor; that he has left an ostensible head to the government, who may sell it to him to secure a mess of pottage for himself. Had the government devolved on the people, as it did in Spain, they would resist his conquest as those of Spain do. I expect, within a week or ten days, to visit Bedford. My absence will be of about a fortnight. I know too well the pressure of business which will be on you at Montpelier, to count with certainty on the pleasure of seeing Mrs. Madison and yourself here; yet my wishes do not permit me to omit the expression of them. In any event, I shall certainly intrude a flying visit on you during your stay in Orange. With my respectful devoirs to Mrs. Madison, I salute you with constant friendship and respect.

TO SKELTON JONES.

MONTICELLO, July 28, 1809.

DEAR SIR,—Your favor of June 19th, did not come to hand till the 29th, and I have not been able to take it up till now. I lent to Mr. Burke, my collection of newspapers from 1741 to 1760, and the further matter which I suggested I might be able to furnish him after my return to Monticello, was the collection of MS. laws of Virginia, which I expected would furnish some proper and authentic materials for history, not extant anywhere else. These I lent the last year to Mr. Hening, who is now in possession of them and is printing them. But though this was within

Mr. Burke's period, it is entirely anterior to yours. The collection of newspapers which I lent to Mr. Burke, I have never been able to recover, nor to learn where they are. They were all well bound, and of course have not probably been destroyed. If you can aid me in the recovery, you will oblige me. I consider their preservation as a duty, because I believe certainly there does not exist another collection of the same period. I have examined the sequel of my collection of newspapers, and find that it has but one paper of 1778. That is one of Piordie's of the month of May. But my not having them is no evidence they were not printed; because I was so continually itinerant during the revolution, that I was rarely in a situation to preserve the papers I received. And although there were probably occasional suspensions for want of paper, yet I do not believe there was a total one at any time. I think, however, you might procure a file for that or any other year, in Philadelphia or Boston. These would furnish all the material occurrences of Virginia. You ask, what has the historian to do with the latter part of 1776, the whole of 1777 and 1778, and a part of 1779? This is precisely the period which was occupied in the reformation of the laws to the new organization and principles of our government. The committee was appointed in the latter part of 1776, and reported in the spring or summer of 1779. At the first and only meeting of the whole committee, (of five persons), the question was discussed whether

we would attempt to reduce the whole body of the law into a code, the text of which should become the law of the land? We decided against that, because every word and phrase in that text would become a new subject of criticism and litigation, until its sense should have been settled by numerous decisions, and that, in the meantime, the rights of property would be in the air. We concluded not to meddle with the common law, *i. e.*, the law preceding the existence of the statutes, further than to accommodate it to our new principles and circumstances; but to take up the whole body of statutes and Virginia laws, to leave out everything obsolete or improper, insert what was wanting, and reduce the whole within as moderate a compass as it would bear, and to the plain language of common sense, divested of the verbiage, the barbarous tautologies and redundancies which render the British statutes unintelligible. From this, however, were excepted the ancient statutes, particularly those commented on by Lord Coke, the language of which is simple, and the meaning of every word so well settled by decisions, as to make it safest not to change words where the sense was to be retained. After setting our plan, Colonel Mason declined undertaking the execution of any part of it, as not being sufficiently read in the law. Mr. Lee very soon afterwards died, and the work was distributed between Mr. Wythe, Mr. Pendleton and myself. To me was assigned the common law, (so far as we thought of altering it,) and the statutes

down to the Reformation, or end of the reign of Elizabeth; to Mr. Wythe, the subsequent body of the statutes, and to Mr. Pendleton the Virginia laws. This distribution threw into my part the laws concerning crimes and punishments, the law of descents, and the laws concerning religion. After completing our work separately, we met, (Mr. W., Mr. P. and myself,) in Williamsburg, and held a long session, in which we went over the first and second parts in the order of time, weighing and correcting every word, and reducing them to the form in which they were afterwards reported. When we proceeded to the third part, we found that Mr. Pendleton had not exactly seized the intentions of the committee, which were to reform the language of the Virginia laws, and reduce the matter to a simple style and form. He had copied the acts *verbatim*, only omitting what was disapproved; and some family occurrence calling him indispensably home, he desired Mr. Wythe and myself to make it what we thought it ought to be, and authorized us to report him as concurring in the work. We accordingly divided the work, and re-executed it entirely, so as to assimilate its plan and execution to the other parts, as well as the shortness of the time would admit, and we brought the whole body of British statutes and laws of Virginia into 127 acts, most of them short. This is the history of that work as to its execution. Its matter and the nature of the changes made, will be a proper subject for the con-

sideration of the historian. Experience has convinced me that the change in the style of the laws was for the better, and it has sensibly reformed the style of our laws from that time downwards, insomuch that they have obtained, in that respect, the approbation of men of consideration on both sides of the Atlantic. Whether the change in the style and form of the criminal law, as introduced by Mr. Taylor, was for the better, is not for me to judge. The digest of that act employed me longer than I believe all the rest of the work, for it rendered it necessary for me to go with great care over Bracton, Britton, the Saxon statutes, and the works of authority on criminal law; and it gave me great satisfaction to find that in general I had only to reduce the law to its ancient Saxon condition, stripping it of all the innovations and rigorisms of subsequent times, to make it what it should be. The substitution of the penitentiary, instead of labor on the high road and of some other punishments truly objectionable, is a just merit to be ascribed to Mr. Taylor's law. When our report was made, the idea of a penitentiary had never been suggested; the happy experiment of Pennsylvania we had not then the benefit of.

To assist in filling up those years of exemption from military invasion, an inquiry into the exertions of Virginia in the common cause during that period, would be proper for the patriotic historian, because her character has been very unjustly impeached by

the writers of other States, as having used no equal exertions at that time. I know it to be false; because having all that time been a member of the legislature, I know that our whole occupation was in straining the resources of the State to the utmost, to furnish men, money, provisions and other necessaries to the common cause. The proofs of this will be found in the journals and acts of the legislature, in executive proceedings and papers, and in the auditor's accounts. Not that Virginia furnished her quota of *requisitions* of either men or money; but that she was always above par, in what was *actually* furnished by the other States. A letter of mine written in 1779 or '80, if still among the executive papers, will furnish full evidence of these facts. It was addressed to our delegates in answer to a formal complaint on the subject, and was founded in unquestionable vouchers.

The inquiries in your printed letter of August, 1808, would lead to the writing the history of my whole life, than which nothing could be more repugnant to my feelings. I have been connected, as many fellow laborers were, with the great events which happened to mark the epoch of our lives. But these belong to no one in particular, all of us did our parts, and no one can claim the transactions to himself. The most I could do would be to revise, correct or supply any statements which should be made respecting public transactions in which I had a part, or which may have otherwise come within my knowledge.

I have to apologize for the delay of this answer. The active hours of the day are all devoted to employments without doors, so that I have rarely an interval, and more rarely the inclination, to sit down to my writing table, the divorce from which is among the greatest reliefs in my late change of life. Still, I will always answer with pleasure any particular inquiries you may wish to address to me, sincerely desiring for the public good as well as your own personal concern, to contribute to the perfection of a work from which I hope much to both; and I beg leave to tender you the assurances of my great esteem and respect.

TO ANDRÉ DE DASCHKOFF.

MONTICELLO, August 12, 1809.

SIR,—Your favor of July 5th has been duly received, and, in it, that of my friend Mr. Short. I congratulate you on your safe arrival in the American hemisphere, after a voyage which must have been lengthy in time, as it was in space. I hope you may experience no unfavorable change in your health on so great a change of climate, and that our fervid sun may be found as innocent as our cloudless skies must be agreeable. I hail you with particular pleasure, as the first harbinger of those friendly relations with your country, so desirable to ours. Both nations being in character and practice essentially pacific, a common interest in the rights of peaceable nations, gives us a common cause in their

maintenance; and however your excellent Emperor may have been led from the ordinary policy of his government, I trust that the establishment of just principles will be the result, as I am sure it is the object, of his efforts.

When you shall have had time to accommodate yourself somewhat to our climate, our manners and mode of living, you will probably have a curiosity to see something of the country you have visited, something beyond the confines of our cities. These exhibit specimens of London only; our country is a different nation. Should your journeyings lead you into this quarter of it, I shall be happy to receive you at Monticello, and to renew to you in person the assurances I now tender of my great respect and consideration.

TO THE PRESIDENT OF THE UNITED STATES (JAMES MADISON).

MONTICELLO, August 17, 1809.

DEAR SIR,—

* * * * * * * * *

I never doubted the chicanery of the Anglomen on whatsoever measures you should take in consequence of the disavowal of Erskine; yet I am satisfied that both the proclamations have been sound. The first has been sanctioned by universal approbation; and although it was not literally the case foreseen by the legislature, yet it was a proper

extension of their provision to a case similar, though not the same. It proved to the whole world our desire of accommodation, and must have satisfied every candid federalist on that head. It was not only proper on the well-grounded confidence that the arrangement would be honestly executed, but ought to have taken place even had the perfidy of England been foreseen. Their dirty gain is richly remunerated to us by our placing them so shamefully in the wrong, and by the union it must produce among ourselves. The last proclamation admits of quibbles, of which advantage will doubtless be endeavored to be taken, by those for whom gain is their god, and their country nothing. But it is soundly defensible. The British minister assured us, that the orders of council would be revoked before the 10th of June. The Executive, trusting in that assurance, declared by proclamation that the revocation was to take place, and that on that event the law was to be suspended. But the event did not take place, and the consequence, of course, could not follow. This view is derived from the former non-intercourse law only, having never read the latter one. I had doubted whether Congress must not be called; but that arose from another doubt, whether their second law had not changed the ground, so as to require their agency to give operation to the law. Should Bonaparte have the wisdom to correct his injustice towards us, I consider war with England as inevitable. Our ships

will go to France and its dependencies, and they will take them This will be war on their part, and leave no alternative but reprisal. I have no doubt you will think it safe to act on this hypothesis, and with energy. The moment that open war shall be apprehended from them, we should take possession of Baton Rouge. If we do not, they will, and New Orleans becomes irrecoverable, and the western country blockaded during the war. It would be justifiable towards Spain on this ground, and equally so on that of title to West Florida, and reprisal extended to East Florida. Whatever turn our present difficulty may take, I look upon all cordial conciliation with England as desperate during the life of the present king. I hope and doubt not that Erskine will justify himself. My confidence is founded in a belief of his integrity, and in the * * * * * * of Canning. I consider the present as the most shameless ministry which ever disgraced England. Copenhagen will immortalize their infamy. In genera , their administrations are so changeable, and they are obliged to descend to such tricks to keep themselves in place, that nothing like honor or morality can ever be counted on in transactions with them. I salute you with all possible affection.

TO JOHN W. CAMPBELL.

MONTICELLO, September 3, 1809.

SIR,—Your letter of July 29th came to hand some time since, but I have not sooner been able to acknowledge it. In answer to your proposition for publishing a complete edition of my different writings, I must observe that no writings of mine, other than those merely official, have been published, except the Notes on Virginia and a small pamphlet under the title of A Summary View of the Rights of British America. The Notes on Virginia, I have always intended to revise and enlarge, and have, from time to time, laid by materials for that purpose. It will be long yet before other occupations will permit me to digest them, and observations and inquiries are still to be made, which will be more correct in proportion to the length of time they are continued. It is not unlikely that this may be through my life. I could not, therefore, at present, offer anything new for that work.

The Summary View was not written for publication. It was a draught I had prepared for a petition to the king, which I meant to propose in my place as a member of the Convention of 1774. Being stopped on the road by sickness, I sent it on to the Speaker, who laid it on the table for the perusal of the members. It was thought too strong for the times, and to become the act of the convention, but was printed by subscription of the members, with a

short preface written by one of them. If it had any merit, it was that of first taking our true ground, and that which was afterwards assumed and maintained.

I do not mention the Parliamentary Manual, published for the use of the Senate of the United States, because it was a mere compilation, into which nothing entered of my own but the arrangement, and a few observations necessary to explain that and some of the cases.

I do not know whether your view extends to official papers of mine which have been published. Many of these would be like old newspapers, materials for future historians, but no longer interesting to the readers of the day. They would consist of reports, correspondences, messages, answers to addresses; a few of my reports while Secretary of State, might perhaps be read by some as essays on abstract subjects. Such as the report on measures, weights and coins, on the mint, on the fisheries, on commerce, on the use of distilled sea-water, etc. The correspondences with the British and French ministers, Hammond and Genet, were published by Congress. The messages to Congress, which might have been interesting at the moment, would scarcely be read a second time, and answers to addresses are hardly read a first time.

So that on a review of these various materials, I see nothing encouraging a printer to a re-publication of them. They would probably be bought by those

only who are in the habit of preserving State papers, and who are not many.

I say nothing of numerous draughts of reports, resolutions, declarations, etc., drawn as a member of Congress or of the Legislature of Virginia, such as the Declaration of Independence, Report on the Money Unit of the United States, the Act of Religious Freedom, etc., etc.; these having become the acts of public bodies, there can be no personal claim to them, and they would no more find readers now, than the journals and statute books in which they are deposited.

I have presented this general view of the subjects which might have been within the scope of your contemplation, that they might be correctly estimated before any final decision. They belong mostly to a class of papers not calculated for popular reading, and not likely to offer profit, or even indemnification to the re-publisher. Submitting it to your consideration, I tender you my salutations and respects.

TO GENERAL WILLIAM CLARKE.

MONTICELLO, September 10, 1809.

DEAR GENERAL,—Your favor of June 2d came duly to hand in July, and brought me a repetition of the proofs of your kindness to me. Mr. Fitzhugh delivered the skin of the sheep of the Rocky Mountains to the President, from whom I expect to receive

it in a few days at his own house. For this, as well as the blanket of Indian manufacture of the same material, which you are so kind as to offer me, accept my friendly thanks. Your donations, and Governor Lewis', have given to my collection of Indian curiosities an importance much beyond what I had ever counted on. The three boxes of bones which you had been so kind as to send to New Orleans for me, as mentioned in your letter of June 2d, arrived there safely, and were carefully shipped by the collector, and the bill of lading sent to me. But the vessel put into the Havana, under embargo distress, was there condemned as unseaworthy, and her enrollment surrendered at St. Mary's. What was done with my three boxes I have not learned, but have written to Mr. Brown, the collector, to have inquiry made after them. The bones of this animal are now in such a state of evanescence as to render it important to save what we can of them. Of those you had formerly sent me, I reserved a very few for myself; I got Dr. Wistar to select from the rest every piece which could be interesting to the Philosophical Society, and sent the residue to the National Institute of France. These have enabled them to decide that the animal was neither a mammoth nor an elephant, but of a distinct kind, to which they have given the name of Mastodont, from the protuberance of its teeth. These, from their forms, and the immense mass of their jaws, satisfy me this animal must have been arboriverous. Nature seems not to

have provided other food sufficient for him, and the limb of a tree would be no more to him than a bough of a cotton tree to a horse. You mention in your letter that you are proceeding with *your family* to Fort Massac. This informs me that you have a family, and I sincerely congratulate you on it, while some may think it will render you less active in the service of the world, those who take a sincere interest in your personal happiness, and who know that, by a law of our nature, we cannot be happy without the endearing connections of a family, will rejoice for your sake as I do. The world has, of right, no further claims on yourself and General Lewis, but such as you may voluntarily render according to your convenience, or as they may make it your interest. I wrote lately to the Governor, but be so good as to repeat my affectionate attachments to him, and to be assured of the same to yourself, with every sentiment of esteem and respect.

TO THE PRESIDENT OF THE UNITED STATES (JAMES MADISON).

MONTICELLO, September 12, 1809.

DEAR SIR,— * * * * * * * * *

Canning's equivocations degrade his government as well as himself. I despair of accommodation with them, because I believe they are weak enough to intend seriously to claim the ocean as their conquest, and think to amuse us with embassies and negotia-

tions, until the claim shall have been strengthened by time and exercise, and the moment arrive when they may boldly avow what hitherto they have only squinted at. Always yours, with sincere affection.

TO DOCTOR B. S. BARTON.

MONTICELLO, September 21, 1809.

DEAR SIR,—I received last night your favor of the 14th, and would with all possible pleasure have communicated to you any part or the whole of the Indian vocabularies which I had collected, but an irreparable misfortune has deprived me of them. I have now been thirty years availing myself of every possible opportunity of procuring Indian vocabularies to the same set of words; my opportunities were probably better than will ever occur again to any person having the same desire. I had collected about fifty, and had digested most of them in collateral columns, and meant to have printed them the last of my stay in Washington. But not having yet digested Captain Lewis' collection, nor having leisure then to do it, I put it off till I should return home. The whole, as well digest as originals, were packed in a trunk of stationery, and sent round by water with about thirty other packages of my effects from Washington, and while ascending James river, this package on account of its weight and presumed precious contents, was singled out and stolen. The thief being disappointed on opening it, threw into

the river all its contents, of which he thought he could make no use. Among them were the whole of the vocabularies. Some leaves floated ashore and were found in the mud; but these were very few, and so defaced by the mud and water that no general use can be made of them. On the receipt of your letter I turned to them, and was very happy to find, that the only morsel of an original vocabulary among them, was Captain Lewis' of the Pani language, of which you say you have not one word. I therefore enclose it to you as it is, and a little fragment of some other, which I see is in his handwriting, but no indication remains on it of what language it is. It is a specimen of the condition of the little which was recovered. I am the more concerned at this accident, as of the two hundred and fifty words of my vocabularies, and the one hundred and thirty words of the great Russian vocabularies of the languages of the other quarters of the globe, seventy-three were common to both, and would have furnished materials for a comparison from which something might have resulted. Although I believe no general use can ever be made of the wrecks of my loss, yet I will ask the return of the Pani vocabulary when you are done with it. Perhaps I may make another attempt to collect, although I am too old to expect to make much progress in it.

I learn with pleasure your acquisition of the pamphlet on the astronomy of the ancient Mexicans. If it be ancient and genuine, or modern and rational,

it will be of real value. It is one of the most interesting countries of our hemisphere, and merits every attention.

I am thankful for your kind offer of sending the original Spanish for my perusal. But I think it a pity to trust it to the accidents of the post, and whenever you publish the translation, I shall be satisfied to read that which shall be given by your translator, who is, I am sure, a greater adept in the language than I am.

Accept the assurances of my great esteem and respect.

TO JAMES FISHBACK.

MONTICELLO, September 27, 1809.

SIR,—Your favor of June 5th came to hand in due time, and I have to acknowledge my gratification at the friendly sentiments it breathes towards myself. We have been thrown into times of a peculiar character, and to work our way through them has required services and sacrifices from our countrymen generally, and to their great honor, these have been generally exhibited, by every one in his sphere, and according to the opportunities afforded. With them I have been a fellow laborer, endeavoring to do faithfully the part allotted to me, as they did theirs; and it is a subject of mutual congratulation that, in a state of things such as the world had never before seen, we have gotten on so far well; and my

confidence in our present high functionaries, as well as in my countrymen generally, leaves me without much fear for the future

I thank you for the pamphlet you were so kind as to send me. At an earlier period of life I pursued inquiries of that kind with industry and care. Reading, reflection and time have convinced me that the interests of society require the observation of those moral precepts only in which all religions agree, (for all forbid us to murder, steal, plunder, or bear false witness,) and that we should not intermeddle with the particular dogmas in which all religions differ, and which are totally unconnected with morality. In all of them we see good men, and as many in one as another. The varieties in the structure and action of the human mind as in those of the body, are the work of our Creator, against which it cannot be a religious duty to erect the standard of uniformity. The practice of morality being necessary for the well-being of society, he has taken care to impress its precepts so indelibly on our hearts that they shall not be effaced by the subtleties of our brain. We all agree in the obligation of the moral precepts of Jesus, and nowhere will they be found delivered in greater purity than in his discourses. It is, then, a matter of principle with me to avoid disturbing the tranquillity of others by the expression of any opinion on the innocent questions on which we schismatize. On the subject of your pamphlet, and the mode of treating it, I permit

myself only to observe the candor, moderation and ingenuity with which you appear to have sought truth. This is of good example, and worthy of commendation. If all the writers and preachers on religious questions had been of the same temper, the history of the world would have been of much more pleasing aspect.

I thank you for the kindness towards myself which breathes through your letter. The first of all our consolations is that of having faithfully fulfilled our duties; the next, the approbation and good will of those who have witnessed it; and I pray you to accept my best wishes for your happiness and the assurances of my respect.

TO MESSRS. BLOODGOOD AND HAMMOND.

MONTICELLO, September 30, 1809.

GENTLEMEN,—The very friendly sentiments which my republican fellow citizens of the city and county of New York have been pleased to express through yourselves as their organ, are highly grateful to me, and command my sincere thanks; and their approbation of the measures pursued, while I was entrusted with the administration of their affairs, strengthens my hope that they were favorable to the public prosperity. For any errors which may have been committed, the indulgent will find some apology in the difficulties resulting from the extraordinary state of human affairs, and the astonishing spectacles these

have presented. A world in arms and trampling on all those moral principles which have heretofore been deemed sacred in the intercourse between nations, could not suffer us to remain insensible of all agitation. During such a course of lawless violence, it was certainly wise to withdraw ourselves from all intercourse with the belligerent nations, to avoid the desolating calamities inseparable from war, its pernicious effects on manners and morals, and the dangers it threatens to free governments; and to cultivate our own resources until our natural and progressive growth should leave us nothing to fear from foreign enterprise. That the benefits derived from these measures were lessened by an opposition of the most ominous character, and that a continuance of injury was encouraged by the appearance of domestic weakness which that presented, will doubtless be a subject of deep and durable regret to such of our well-intentioned citizens as participated in it, under mistaken confidence in men who had other views than the good of their own country. Should foreign nations, however, deceived by this appearance of division and weakness, render it necessary to vindicate by arms the injuries to our country, I believe, with you, that the spirit of the revolution is unextinguished, and that the cultivators of peace will again, as on that occasion, be transformed at once into a nation of warriors who will leave us nothing to fear for the natural and national rights of our country.

Your approbation of the reasons which induced me to retire from the honorable station in which my fellow citizens had placed me, is a proof of your devotion to the true principles of our Constitution. These are wisely opposed to all perpetuations of power, and to every practice which may lead to hereditary establishments; and certain I am that any services which I could have rendered will be more than supplied by the wisdom and virtues of my successor.

I am very thankful for the kind wishes you express for my personal happiness. It will always be intimately connected with the prosperity of our country, of which I sincerely pray that my fellow-citizens of the city and county of New York may have their full participation.

TO DON VALENTINE DE FORONDA.

MONTICELLO, October 4, 1809.

DEAR SIR,—Your favor of August the 26th came to hand in the succeeding month, and I have now to thank you for the pamphlet it contained. I have read it with pleasure, and find the constitution proposed would probably be as free as is consistent with hereditary institutions. It has one feature which I like much: that which provides that when the three co-ordinate branches differ in their construction of the constitution, the opinion of two

branches shall overrule the third. Our Constitution has not sufficiently solved this difficulty.

Among the multitude of characters with which public office leads us to official intercourse, we cannot fail to observe many, whose personal worth marks them as objects of particular esteem, whom we would wish to select for our society in private life. I avail myself gladly of the present occasion of assuring you that I was peculiarly impressed with your merit and talents, and that I have ever entertained for them a particular respect. To those whose views are single and direct, it is a great comfort to have to do business with frank and honorable minds. And here give me leave to make an avowal, for which, in my present retirement, there can be no motive but a regard for truth. Your predecessor, soured on a question of etiquette against the administration of this country, wished to impute wrong to them in all their actions, even where he did not believe it himself. In this spirit, he wished it to be believed that we were in unjustifiable co-operation in Miranda's expedition. I solemnly, and on my personal truth and honor, declare to you that this was entirely without foundation, and that there was neither co-operation, nor connivance on our part. He informed us he was about to attempt the liberation of his native country from bondage, and intimated a hope of our aid, or connivance at least. He was at once informed, that although we had great cause of complaint against Spain, and even of war, yet whenever

we should think proper to act as her enemy, it should be openly and above board, and that our hostility should never be exercised by such petty means. We had no suspicion that he expected to engage men here, but merely to purchase military stores. Against this there was no law, nor consequently any authority for us to interpose obstacles. On the other hand, we deemed it improper to betray his voluntary communication to the agents of Spain. Although his measures were many days in preparation at New York, we never had the least intimation or suspicion of his engaging men in his enterprise, until he was gone; and I presume the secrecy of his proceeding kept them equally unknown to the Marquis Yrujo at Philadelphia, and the Spanish consul at New York, since neither of them gave us any information of the enlistment of men, until it was too late for any measures taken at Washington to prevent their departure. The officer in the Customs, who participated in this transaction with Miranda, we immediately removed, and should have had him and others further punished, had it not been for the protection given them by private citizens at New York, in opposition to the government, who, by their impudent falsehoods and calumnies, were able to overbear the minds of the jurors. Be assured, Sir, that no motive could induce me, at this time, to make this declaration so gratuitously, were it not founded in sacred truth; and I will add further, that I never did, or countenanced, in public life, a single act

inconsistent with the strictest good faith; having never believed there was one code of morality for a public, and another for a private man.

I receive, with great pleasure, the testimonies of personal esteem which breathes through your letter; and I pray you to accept those equally sincere with which I now salute you.

TO JOEL BARLOW.

MONTICELLO, October 8, 1809.

DEAR SIR,—It is long since I ought to have acknowledged the receipt of your most excellent oration on the 4th of July. I was doubting what you could say, equal to your own reputation, on so hackneyed a subject; but you have really risen out of it with lustre, and pointed to others a field of great expansion. A day or two after I received your letter to Bishop Gregoire, a copy of his diatribe to you came to hand from France. I had not before heard of it. He must have been eagle-eyed in quest of offence, to have discovered ground for it among the rubbish massed together in the print he animadverts on. You have done right in giving him a sugary answer. But he did not deserve it. For, notwithstanding a compliment to you now and then, he constantly returns to the identification of your sentiments with the extravagances of the Revolutionary zealots. I believe him a very good man, with imagination enough to declaim eloquently,

but without judgment to decide. He wrote to me also on the doubts I had expressed five or six and twenty years ago, in the Notes of Virginia, as to the grade of understanding of the negroes, and he sent me his book on the literature of the negroes. His credulity has made him gather up every story he could find of men of color, (without distinguishing whether black, or of what degree of mixture,) however slight the mention, or light the authority on which they are quoted. The whole do not amount, in point of evidence, to what we know ourselves of Banneker. We know he had spherical trigonometry enough to make almanacs, but not without the suspicion of aid from Ellicot, who was his neighbor and friend, and never missed an opportunity of puffing him. I have a long letter from Banneker, which shows him to have had a mind of very common stature indeed. As to Bishop Gregoire, I wrote him, as you have done, a very soft answer. It was impossible for doubt to have been more tenderly or hesitatingly expressed than that was in the Notes of Virginia, and nothing was or is farther from my intentions, than to enlist myself as the champion of a fixed opinion, where I have only expressed a doubt. St. Domingo will, in time, throw light on the question.

I intended, ere this, to have sent you the papers I had promised you. But I have taken up Marshall's fifth volume, and mean to read it carefully, to correct what is wrong in it, and commit to writing such facts and annotations as the reading of that work will

bring into my recollection, and which have not yet been put on paper; in this I shall be much aided by my memorandums and letters, and will send you both the old and the new. But I go on very slowly. In truth, during the pleasant season, I am always out of doors, employed, not passing more time at my writing table than will despatch my current business. But when the weather becomes cold, I shall go out but little. I hope, therefore, to get through this volume during the ensuing winter; but should you want the papers sooner, they shall be sent at a moment's warning. The ride from Washington to Monticello in the stage, or in a gig, is so easy that I had hoped you would have taken a flight here during the season of good roads. Whenever Mrs. Barlow is well enough to join you in such a visit, it must be taken more at ease. It will give us real pleasure whenever it may take place. I pray you to present me to her respectfully, and I salute you affectionately.

TO ALBERT GALLATIN.

MONTICELLO, October 11, 1809.

DEAR SIR,—I do not know whether the request of Monsieur Moussier, explained in the enclosed letter, is grantable or not. But my partialities in favor of whatever may promote either the useful or liberal arts, induce me to place it under your consideration, to do in it whatever is right, neither more

nor less. I would then ask you to favor me with three lines, in such form as I may forward him by way of answer.

I have reflected much and painfully on the change of dispositions which has taken place among the members of the Cabinet, since the new arrangement, as you stated to me in the moment of our separation. It would be, indeed, a great public calamity were it to fix you in the purpose which you seemed to think possible. I consider the fortunes of our republic as depending, in an eminent degree, on the extinguishment of the public debt before we engage in any war: because, that done, we shall have revenue enough to improve our country in peace and defend it in war, without recurring either to new taxes or loans. But if the debt should once more be swelled to a formidable size, its entire discharge will be despaired of, and we shall be committed to the English career of debt, corruption and rottenness, closing with revolution. The discharge of the debt, therefore, is vital to the destinies of our government, and it hangs on Mr. Madison and yourself alone. We shall never see another President and Secretary of the Treasury making all other objects subordinate to this. Were either of you to be lost to the public, that great hope is lost. I had always cherished the idea that you would fix on that object the measure of your fame, and of the gratitude which our country will owe you. Nor can I yield up this prospect to the secondary considerations which assail your tran-

quillity. For sure I am, they never can produce any other serious effect. Your value is too justly estimated by our fellow citizens at large, as well as their functionaries, to admit any remissness in their support of you. My opinion always was, that none of us ever occupied stronger ground in the esteem of Congress than yourself, and I am satisfied there is no one who does not feel your aid to be still as important for the future as it has been for the past. You have nothing, therefore, to apprehend in the dispositions of Congress, and still less of the President, who, above all men, is the most interested and affectionately disposed to support you I hope, then, you will abandon entirely the idea you expressed to me, and that you will consider the eight years to come as essential to your political career. I should certainly consider any earlier day of your retirement, as the most inauspicious day our new government has ever seen. In addition to the common interest in this question, I feel particularly for myself the considerations of gratitude which I personally owe you for your valuable aid during my administration of public affairs, a just sense of the large portion of the public approbation which was earned by your labors and belongs to you, and the sincere friendship and attachment which grew out of our joint exertions to promote the common good; and of which I pray you now to accept the most cordial and respectful assurances.

TO THE CHEVALIER LUIS DE ONIS.

MONTICELLO, November 4, 1809.

Thomas Jefferson presents his respectful compliments to his Excellency the Chevalier de Onis, and congratulates him on his safe arrival in the United States, and at a season so propitious for the preservation of health against the effects of a sensible and sudden change of climate. He hopes that his residence here will be made agreeable to him, and that it will be useful in cementing the friendship and intercourse of the two nations, so advantageous to both. He would have been happy to have paid his respects to the Chevalier de Onis in person, and to have had the honor of forming his acquaintance; but the distance and bad roads deny him that pleasure. He learns with great satisfaction that his venerable and worthy friend, Mr. Yznardi, continues in life and health, and takes this occasion of bearing testimony to his loyal and honorable conduct while in the United States. He salutes the Chevalier de Onis with assurances of his high respect and consideration.

TO GEORGE WASHINGTON IRVING, ESQ.

MONTICELLO, November 23, 1809.

SIR,—An American vessel, the property of a respectable merchant of Georgetown, on a voyage to some part of Europe for general purposes of commerce, proposes to touch at some part of Spain with

the view of obtaining Merino sheep to be brought to our country. The necessity we are under, and the determination we have formed of emancipating ourselves from a dependence on foreign countries for manufactures which may be advantageously established among ourselves, has produced a very general desire to improve the quality of our wool by the introduction of the Merino race of sheep. Your sense of the duties you owe to your station will not permit me to ask, nor yourself to do any act which might compromit you with the government with which you reside, or forfeit that confidence on their part which can alone enable you to be useful to your country. But as far as that will permit you to give aid to the procuring and bringing away some of the valuable race, I take the liberty of soliciting you to do so—it will be an important service rendered to your country; to which you will be further encouraged by the assurance that the enterprise is solely on the behalf of agricultural gentlemen of distinguished character in Washington and its neighborhood, with a view of disseminating the benefits of their success as widely as they can. Without any interest in it myself, other than the general one, I cannot help wishing a favorable result, and therefore add my solicitations to the assurances of my constant esteem and respect.

TO THE PRESIDENT OF THE UNITED STATES (JAMES MADISON).

MONTICELLO, November 26, 1809.

DEAR SIR,—Your letter of the 6th was received from our post office on the 24th, after my return from Bedford. I now re-enclose the letters of Mr. Short and Romanzoff, and with them a letter from Armstrong, for your perusal, as there may be some matters in it not otherwise communicated. The infatuation of the British government and nation is beyond everything imaginable. A thousand circumstances announce that they are on the point of being blown up, and they still proceed with the same madness and increased wickedness. With respect to Jackson I hear but one sentiment, except that some think he should have been sent off. The more moderate step was certainly more advisable. There seems to be a perfect acquiescence in the opinion of the Government respecting Onis. The public interest certainly made his rejection expedient, and as that is a motive which it is not pleasant always to avow, I think it fortunate that the contending claims of Charles and Ferdinand furnished such plausible embarrassment to the question of right; for, on our principles, I presume, the right of the Junta to send a Minister could not be denied. La Fayette, in a letter to me expresses great anxiety to receive his formal titles to the lands in Louisiana. Indeed, I know not why the proper officers have not sooner

sent on the papers on which the grants might issue. It will be in your power to forward the grants or copies of them by some safe conveyance, as La Fayette says that no negotiation can be effected without them.

I enclose you a letter from Major Neely, Chickasaw agent, stating that he is in possession of two trunks of the unfortunate Governor Lewis, containing public vouchers, the manuscripts of his western journey, and probably some private papers. As he desired they should be sent *to the President*, as the public vouchers render it interesting to the public that they should be safely received, and they would probably come most safely if addressed to you, would it not be advisable that Major Neely should receive an order on your part to forward them to Washington addressed to you, by the stage, and if possible under the care of some person coming on? When at Washington I presume the papers may be opened and distributed; that is to say, the vouchers to the proper offices where they are cognizable; the manuscript voyage, etc., to General Clarke, who is interested in it, and is believed to be now on his way to Washington; and his private papers, if any, to his administrator—who is John Marks, his half brother. It is impossible you should have time to examine and distribute them; but if Mr. Coles could find time to do it, the family would have entire confidence in his distribution. The other two trunks, which are in the care of Captain Russel at the

Chickasaw bluffs, and which Pernier (Governor Lewis' servant) says contain his private property, I write to Captain Russel, at the request of Mr. Marks, to forward to Mr. Brown at New Orleans, to be sent on to Richmond under my address. Pernier says that Governor Lewis owes him $240 for his wages. He has received money from Neely to bring him on here, and I furnish him to Washington, where he will arrive penniless, and will ask for some money to be placed to the Governor's account. He rides a horse of the Governor's, which, with the approbation of the administration, I tell him to dispose of and give credit for the amount in his account against the Governor. He is the bearer of this letter, and of my assurances of constant and affectionate esteem.

TO THE PRESIDENT OF THE UNITED STATES (JAMES MADISON).

MONTICELLO, November 30, 1809.

DEAR SIR,—I received last night yours of the 27th, and rode this morning to Colonel Monroe's. I found him preparing to set out to-morrow morning for London, from whence he will not return till Christmas. I had an hour or two's frank conversation with him. The catastrophe of poor Lewis served to lead us to the point intended. I reminded him that in the letter I wrote to him while in Europe, proposing the Government of Orleans, I also suggested that of Louisiana, if fears for health should be opposed to

the other. I said something on the importance of the post, its advantages, etc.—expressed my regret at the curtain which seemed to be drawn between him and his best friends, and my wish to see his talents and integrity engaged in the service of his country again, and that his going into any post would be a signal of reconciliation, on which the body of republicans, who lamented his absence from the public service, would again rally to him. These are the general heads of what I said to him in the course of our conversation. The sum of his answers was, that to accept of that office was incompatible with the respect he owed himself; that he never would act in any office where he should be subordinate to anybody but the President himself, or which did not place his responsibility substantially with the President and the nation; that at your accession to the chair, he would have accepted a place in the Cabinet, and would have exerted his endeavors most faithfully in support of your fame and measures; that he is not unready to serve the public, and especially in the case of any difficult crisis in our affairs; that he is satisfied that such is the deadly hatred of both France and England, and such their self-reproach and dread at the spectacle of such a government as ours, that they will spare nothing to destroy it; that nothing but a firm union among the whole body of republicans can save it, and therefore that no schism should be indulged on any ground; that in his present situation, he is sincere in his

anxieties for the success of the administration, and in his support of it as far as the limited sphere of his action or influence extends; that his influence to this end had been used with those with whom the world had ascribed to him an interest he did not possess, until, whatever it was, it was lost, (he particularly named J. Randolph, who, he said, had plans of his own, on which he took no advice;) and that he was now pursuing what he believed his properest occupation, devoting his whole time and faculties to the liberation of his pecuniary embarrassments, which, three years of close attention, he hoped, would effect. In order to know more exactly what were the kinds of employ he would accept, I adverted to the information of the papers, which came yesterday, that General Hampton was dead, but observed that the military life in our present state, offered nothing which could operate on the principle of patriotism; he said he would sooner be shot than take a command under Wilkinson. In this sketch, I have given truly the substance of his ideas, but not always his own words. On the whole, I conclude he would accept a place in the Cabinet, or a military command dependent on the Executive alone, and I rather suppose a diplomatic mission, because it would fall within the scope of his views, and not because he said so, for no allusion was made to anything of that kind in our conversation. Everything from him breathed the purest patriotism, involving, however, a close attention to his own

honor and grade. He expressed himself with the utmost devotion to the interests of our own country, and I am satisfied he will pursue them with honor and zeal in any character in which he shall be willing to act.

I have thus gone far beyond the single view of your letter, that you may, under any circumstances, form a just estimate of what he would be disposed to do. God bless you, and carry you safely through all your difficulties.

TO MR. CHARLES F. WELLES.

MONTICELLO, December 3, 1809.

SIR,—I received, within a few days past, your favor of February 29th, (for September, I presume,) in either case it has been long on the way. It covered the two pieces of poetry it referred to. Of all the charges brought against me by my political adversaries, that of possessing some science has probably done them the least credit. Our countrymen are too enlightened themselves, to believe that ignorance is the best qualification for their service. If Mr. M. solicits a seat in Congress, I am sure he will be more just to himself, and more respectful to his electors, than to claim it on this ground.

Without pretending to all the merits so kindly ascribed by the more friendly and poetical answer, I feel the right of claiming that of integrity of motives. Whether the principles of the majority of our fellow

citizens, or of the little minority still opposing them, be most friendly to the rights of man, posterity will judge; and to that arbiter I submit my own conduct with cheerfulness. It has been a great happiness to me, to have received the approbation of so great a portion of my fellow citizens, and particularly of those who have opportunities of inquiring, reading and deciding for themselves. It is on this view that I owe you especial acknowledgments, which I pray you to accept with the assurances of my respect.

TO THE PRESIDENT OF THE UNITED STATES (JAMES MADISON).

MONTICELLO, December 7, 1809.

DEAR SIR,—The enclosed letter is from Father Richard, the Director of a school at Detroit. Being on a subject in which the departments both of the Treasury and War are concerned, I take the liberty of enclosing it to yourself as the centre which may unite these two agencies. The transactions which it alludes to took place in the months of December and January preceding my retirement from office, and as I think it possible they may not have been fully placed on the records of the War Office, because they were conducted verbally for the most part, I will give a general statement of them as well as my recollection will enable me. In the neighborhood of Detroit (two or three miles from the town) is a farm, formerly the property of one Earnest, a bankrupt

Collector. It is now in the possession of the Treasury Department, as a pledge for a sum in which he is in default to the government, much beyond the value of the farm. As it is a good one, has proper buildings, and in a proper position for the purpose contemplated, General Dearborn proposed to purchase it for the War Department at its real value. Mr. Gallatin thought he should ask the sum for which it was hypothecated. I do not remember the last idea in which we all concurred, but I believe it was that, as the Treasury must, in the end, sell it for what it could get, the War Department would become a bidder as far as its real value, and in the meantime would rent it. On this farm we proposed to assemble the following establishments: 1st. Father Richard's school. He teaches the children of the inhabitants of Detroit—but the part of the school within our view was that of the young Indian girls instructed by two French females, natives of the place, who devote their whole time and their own property, which was not inconsiderable, to the care and instruction of Indian girls in carding, spinning, weaving, sewing, and the other household arts suited to the condition of the poor, and as practiced by the white women of that condition. Reading and writing were an incidental part of their education. We proposed that the War Department should furnish the farm and the houses for the use of the school gratis, and add $400 a year to the funds, and that the benefits of the institution should be extended

to the boys also of the neighboring tribes, who were to be lodged, fed, and instructed there.

2d. To establish there the farmer at present employed by the United States, to instruct those Indians in the use of the plough and other implements and practices of agriculture, and in the general management of the farm. This man was to labor the farm himself, and to have the aid of the boys through a principal portion of the day, by which they would contract habits of industry, learn the business of farming, and provide subsistence for the whole institution. Reading and writing were to be a secondary object.

3d. To remove thither the carpenter and smith at present employed by the United States among the same Indians; with whom such of the boys as had a turn for it should work and learn their trades.

This establishment was recommended by the further circumstance that whenever the Indians come to Detroit on trade or other business, they encamp on or about this farm. This would give them opportunities of seeing their sons and daughters, and their advancement in the useful arts—of seeing and learning from example all the operations and process of a farm, and of always carrying home themselves some additional knowledge of these things. It was thought more important to extend the civilized arts, and to introduce a separation of property among the Indians of the country around Detroit than elsewhere, because learning to set a high value on their

property, and losing by degrees all other dependence for subsistence, they would deprecate war with us as bringing certain destruction on their property, and would become a barrier for that distant and isolated post against the Indians beyond them. There are beyond them some strong tribes, as the Sacs, Foxes,etc., with whom we have as yet had little connection, and slender opportunities of extending to them our benefits and influence. They are therefore ready instruments to be brought into operation on us by a powerful neighbor, which still cultivates its influence over them by nourishing the savage habits which waste them, rather than by encouraging the civilized arts which would soften, conciliate and preserve them. The whole additional expense to the United States was to be the price of the farm, and an increase of $400 in the annual expenditures for these tribes.

This is the sum of my recollections. I cannot answer for their exactitude in all details, but General Dearborn could supply and correct the particulars of my statement. Mr. Gallatin, too, was so often in consultation on the subject, that he must have been informed of the whole plan; and his memory is so much better than mine, that he will be able to make my statement what it should be. Add to this that I think I generally informed myself of our policy and proceedings in the case, as we went along; and, if I am not mistaken, it was one of the articles of a memorandum I left with you of things still *in fieri*, and which would merit your attention. I have

thought it necessary to put you in possession of these facts, that you might understand the grounds of Father Richard's application, and be enabled to judge for yourself of the expediency of pursuing the plan, or of the means of withdrawing from it with justice to the individuals employed in its execution. How far we are committed with the Indians themselves in this business will be seen in a speech of mine to them, of January 31st, filed in the War Office, and perhaps something more may have passed to them from the Secretary of War. Always affectionately yours.

TO DR. N. CHAPMAN.

MONTICELLO, December 11, 1809.

SIR,—Your favor of November 10th did not come to hand till the 29th of that month. The subject you have chosen for the next anniversary discourse of the Linnean Society is certainly a very interesting and also a difficult one. The change which has taken place in our climate, is one of those facts which all men of years are sensible of, and yet none can prove by regular evidence; they can only appeal to each other's general observation for the fact. I remember that when I was a small boy, (say 60 years ago,) snows were frequent and deep in every winter—to my knee very often, to my waist sometimes—and that they covered the earth long. And I remember while yet young, to have heard from very old men,

that in their youth, the winters had been still colder, with deeper and longer snows. In the year 1772, (37 years ago,) we had a snow two feet deep in the champaign parts of this State, and three feet in the counties next below the mountains. That year is still marked in conversation by the designation of "the year of the deep snow." But I know of no regular diaries of the weather very far back. In latter times, they might perhaps be found. While I lived at Washington, I kept a diary, and by recurring to that, I observe that from the winter of 1802–3, to that of 1808–9, inclusive, the average fall of snow of the seven winters was only fourteen and a half inches, and that the ground was covered but sixteen days in each winter on an average of the whole. The maximum in any one winter, during that period, was twenty-one inches fall, and thirty-four days on the ground. The change in our climate is very shortly noticed in the Notes on Virginia, because I had few facts to state but from my own recollections, then only of thirty or thirty-five years. Since that my whole time has been so completely occupied in public vocations, that I have been able to pay but little attention to this subject, and if I have heard any facts respecting it, I made no note of them, and they have escaped my memory. Thus, Sir, with every disposition to furnish you with any information in my possession, I can only express my regrets at the entire want of them. Nor do I know of any source in this State, now existing, from which any-

thing on the subject can be derived. Williams, in his History of Vermont, has an essay on the change of climate in Europe, Asia, and Africa, and has very ingeniously laid history under contribution for materials. Doctor Williamson has written on the change of our climate, in one of the early volumes of our philosophical transactions. Both of these are doubtless known to you.

Wishing it had been in my power to have been more useful to you, I pray you to accept the assurances of my esteem and respect.

TO W. C. NICHOLAS, ESQ.

MONTICELLO, December 16, 1809.

DEAR SIR,—I now enclose you the agricultural catalogue. I do not know whether I have made it more or less comprehensive than you wished; but in either case, you can make it what it should be by reduction or addition—there are probably other good books with which I am unacquainted. I do not possess the Geoponica, nor Rozier's Dictionary. All the others I have, and set them down on my own knowledge, except Young's Experimental Agriculture, which I have not, but had the benefit of reading your copy. I am sorry to address this catalogue to Warren, instead of Washington. Never was there a moment when it was so necessary to unite all the wisdom of the nation in its councils. Our affairs are certainly now at their ultimate point of crisis.

I understand the Eastern Republicans will agree to nothing which shall render non-intercourse effectual, and that in any question of that kind, the federalists will have a majority. There remains, then, only war or submission, and if we adopt the former, they will desert us. Under these difficulties you ought not to have left us. A temporary malady was not a just ground for permanent withdrawing, and you are too young to be entitled as yet to decline public duties. I think there never was a time when your presence in Congress was more desirable. However, the die is cast, and we have only to regret what we cannot repair. You must indulge me a little in scolding on this subject, and the rather as it is the effect of my great esteem and respect.

TO SAMUEL KERCHEVAL.

MONTICELLO, January 15, 1810.

SIR,—Your favor of December 12th has been duly received, as was also that of September 28th. With the blank subscription paper for the academy of Frederic county, enclosed in your letter of September, nothing has been done. I go rarely from home, and therefore have little opportunity of soliciting subscriptions. Nor could I do it in the present case in conformity with my own judgment of what is best for institutions of this kind. We are all doubtless bound to contribute a certain portion of our income to the support of charitable and other useful public

institutions. But it is a part of our duty also to apply our contributions in the most effectual way we can to secure their object. The question then is whether this will not be better done by each of us appropriating our whole contributions to the institutions within our own reach, under our own eye; and over which we can exercise some useful control? Or would it be better that each should divide the sum he can spare among all the institutions of his State, or of the United States? Reason, and the interest of these institutions themselves, certainly decide in favor of the former practice. This question has been forced on me heretofore by the multitude of applications which have come to me from every quarter of the Union on behalf of academies, churches, missions, hospitals, charitable establishments, etc. Had I parcelled among them all the contributions which I could spare, it would have been for each too feeble a sum to be worthy of being either given or received. If each portion of the State, on the contrary, will apply its aids and its attentions exclusively to those nearest around them, all will be better taken care of. Their support, their conduct, and the best administration of their funds, will be under the inspection and control of those most convenient to take cognizance of them, and most interested in their prosperity. With these impressions myself, I could not propose to others what my own judgment disapproved, as to their duty as well as my own. These considerations

appear so conclusive to myself, that I trust they will be a sufficient apology for my not having fulfilled your wishes with respect to the paper enclosed. They are therefore submitted to your candor, with assurances of my best wishes for the success of the institution you patronize, and of my respect and consideration for yourself.

TO JOHN WAYLES EPPES.

MONTICELLO, January 17, 1810.

DEAR SIR,—Yours of the 10th came safely to hand, and I now enclose you a letter from Francis; he continues in excellent health, and employs his time well. He has written to his mamma and grandmamma. I observe that the H. of R. are sensible of the ill effects of the long speeches in their house on their proceedings. But they have a worse effect in the disgust they excite among the people, and the disposition they are producing to transfer their confidence from the legislature to the executive branch, which would soon sap our Constitution. These speeches, therefore, are less and less read, and if continued will cease to be read at all. The models for that oratory which is to produce the greatest effect by securing the attention of hearers and readers, are to be found in Livy, Tacitus, Sallust, and most assuredly not in Cicero. I doubt if there is a man in the world who can now read one of his orations through but as a piece of task-work. I observe

the house is endeavoring to remedy the eternal protraction of debate by sitting up all night, or by the use of the Previous Question. Both will subject them to the most serious inconvenience. The latter may be turned upon themselves by a trick of their adversaries. I have thought that such a rule as the following would be more effectual and less inconvenient: "Resolved that at [viii.] o'clock in the evening (whenever the house shall be in session at that hour) it shall be the duty of the Speaker to declare that hour arrived, whereupon all debate shall cease. If there be then before the house a main question for the reading or passing of a bill, resolution or order, such main question shall immediately be put by the Speaker, and decided by yeas and nays.

"If the question before the house be secondary, as for amendment, commitment, postponement, adjournment of the debate or question, laying on the table, reading papers, or a previous question, such secondary, [or any other which may delay the main question,] shall stand *ipso facto* discharged, and the main question shall then be before the house, and shall be immediately put and decided by yeas and nays. But a motion for adjournment of the house, may once and once only, take place of the main question, and if decided in the negative, the main question shall then be put as before. Should any question of order arise, it shall be decided by the Speaker instanter, and without debate or appeal; and questions of privilege arising, shall be postponed till the

main question be decided. Messages from the President or Senate may be received but not acted on till after the decision of the main question. But this rule shall be suspended during the [three] last days of the session of Congress.''

No doubt this, on investigation, will be found to need amendment; but I think the principle of it better adapted to meet the evil than any other which has occurred to me. You can consider and decide upon it, however, and make what use of it you please, only keeping the source of it to yourself. Ever affectionately yours.

TO SAMUEL KERCHEVAL.

MONTICELLO, January 19, 1810.

SIR,—Yours of the 7th instant has been duly received, with the pamphlet enclosed, for which I return you my thanks. Nothing can be more exactly and seriously true than what is there stated: that but a short time elapsed after the death of the great reformer of the Jewish religion, before his principles were departed from by those who professed to be his special servants, and perverted into an engine for enslaving mankind, and aggrandizing their oppressors in Church and State: that the purest system of morals ever before preached to man has been adulterated and sophisticated by artificial constructions, into a mere contrivance to filch wealth and power to themselves: that rational men, not

being able to swallow their impious heresies, in order to force them down their throats, they raise the hue and cry of infidelity, while themselves are the greatest obstacles to the advancement of the real doctrines of Jesus, and do, in fact, constitute the real Anti-Christ.

You expect that your book will have some effect on the prejudices which the Society of Friends entertain against the present and late administrations. In this I think you will be disappointed. The Friends are men formed with the same passions, and swayed by the same natural principles and prejudices as others. In cases where the passions are neutral, men will display their respect for the religious *professions* of their sect. But where their passions are enlisted, these *professions* are no obstacle. You observe very truly, that both the late and present administration conducted the government on principles *professed* by the Friends. Our efforts to preserve peace, our measures as to the Indians, as to slavery, as to religious freedom, were all in consonance with their *profession*. Yet I never expected we should get a vote from them, and in this I was neither deceived nor disappointed. There is no riddle in this to those who do not suffer themselves to be duped by the *professions* of religious sectaries. The theory of American Quakerism is a very obvious one. The mother society is in England. Its members are English by birth and residence, devoted to their own country as good citizens ought to be. The

Quakers of these States are colonies or filiations from the mother society, to whom that society sends its yearly lessons. On these, the filiated societies model their opinions, their conduct, their passions and attachments. A Quaker is essentially an Englishman, in whatever part of the earth he is born or lives. The outrages of Great Britain on our navigation and commerce, have kept us in perpetual bickerings with her. The Quakers here have taken side against their own government, not on their *profession* of peace, for they saw that peace was our object also; but from devotion to the views of the mother society. In 1797–8, when an administration sought war with France, the Quakers were the most clamorous for war. Their principle of peace, as a secondary one, yielded to the primary one of adherence to the Friends in England, and what was patriotism in the original, became treason in the copy. On that occasion, they obliged their good old leader, Mr. Pemberton, to erase his name from a petition to Congress against war, which had been delivered to a Representative of Pennsylvania, a member of the late and present administration; he accordingly permitted the old gentleman to erase his name. You must not therefore expect that your book will have any more effect on the Society of Friends here, than on the English merchants settled among us. I apply this to the Friends in general, not universally. I know individuals among them as good patriots as we have.

I thank you for the kind wishes and sentiments towards myself, expressed in your letter, and sincerely wish to yourself the blessings of heaven and happiness.

TO WILLIAM BALDWIN.

MONTICELLO, January 19, 1810.

Thomas Jefferson returns to Mr. Baldwin his thanks for the copy of the letters of Cerus and Amicus just received from him. He sincerely wishes its circulation among the Society of Friends may have the effect Mr. Baldwin expects, of abating their prejudices against the government of their country. But he apprehends their disease is too deeply seated; that identifying themselves with the mother society in England, and taking from them implicitly their politics, their principles and passions, it will be long before they will cease to be Englishmen in everything but the place of their birth, and to consider that, and not America, as their real country. He is particularly thankful to Mr. Baldwin for the kind wishes and sentiments expressed in his letter, and sincerely wishes to him the blessings of health and happiness.

TO THOMAS T. HEWSON.

MONTICELLO, January 21, 1810.

SIR,—I have duly received your favor of the 8th instant, informing me that the American Philosoph-

ical Society had been pleased again unanimously to re-elect me their President. For these continued testimonials of their favor, I can but renew the expressions of my continued gratitude, and the assurances of my entire devotion to their service. If, in my present situation, I can in any wise forward their laudable pursuits for the information and benefit of mankind, all other duties shall give place to that.

I pray you to be the channel of communicating these sentiments, with the expressions of my dutiful respects to the Society, and to accept, yourself, the assurance of my great esteem and respect.

TO THE HONORABLE PAUL HAMILTON.

MONTICELLO, January 23, 1810.

SIR,—The enclosed letter would have been more properly addressed to yourself, or perhaps to the Secretary of War. I have no knowledge at all of the writer; but suppose the best use I can make of his letter, as to himself or the public, is to enclose it to you for such notice only as the public utility may entitle it to; perhaps I should ask the favor of you to communicate it, with the samples, and with my friendly respects, to the Secretary of War, who may know something of the writer. I recollect that his predecessor made some trial of cotton tenting, and found it good against the water. Its combustibility, however, must be an objection to it for that purpose,

and perhaps even on shipboard. I avail myself of the occasion which this circumstance presents of expressing my sincere anxieties for the prosperity of the administration in all its parts, which indeed involves the prosperity of us all, and of tendering to yourself in particular the assurances of my high respect and consideration.

TO JOEL BARLOW.

MONTICELLO, January 24, 1810.

DEAR SIR,—Yours of the 15th is received, and I am disconsolate on learning my mistake as to your having a dynamometer. My object being to bring a plough to be made here to the same standard of comparison by which Guillaume's has been proved, nothing less would be satisfactory than an instrument made by the same standard. I must import one, therefore, but how, in the present state of non-intercourse, is the difficulty. I do not know * * personally, but by character well. He is the most red-hot federalist, famous, or rather infamous for the lying and slandering which he vomited from the pulpit in the political harangues with which he polluted the place. I was honored with much of it. He is a man who can prove everything if you will take his word for proof. Such evidence of Hamilton's being a republican he may bring; but Mr. Adams, Edmund Randolph, and myself, could repeat an explicit declaration of Hamilton's against which * * proofs would weigh nothing.

I am sorry to learn that your rural occupations impede so much the progress of your much to be desired work. You owe to republicanism, and indeed to the future hopes of man, a faithful record of the *march* of this government, which may encourage the oppressed to go and do so likewise. Your talents, your principles, and your means of access to public and private sources of information, with the leisure which is at your command, point you out as the person who is to do this act of justice to those who believe in the improvability of the condition of man, and who have acted on that behalf, in opposition to those who consider man as a beast of burden made to be rode by him who has genius enough to get a bridle into his mouth. The dissensions between two members of the Cabinet are to be lamented. But why should these force Mr. Gallatin to withdraw? They cannot be greater than between Hamilton and myself, and yet we served together four years in that way. We had indeed no personal dissensions. Each of us, perhaps, thought well of the other as a man, but as politicians it was impossible for two men to be of more opposite principles. The method of separate consultation, practised sometimes in the Cabinet, prevents disagreeable collisions.

You ask my opinion of Maine. I think him a most excellent man. Sober, industrious, intelligent and conscientious. But, in the difficulty of changing a nursery establishment, I suspect you will find an insurmountable obstacle to his removal. Present

me respectfully to Mrs. Barlow, and be assured of my constant and affectionate esteem.

P. S. The day before yesterday the mercury was at $5\frac{1}{2}^{\circ}$ with us, a very uncommon degree of cold here. It gave us the first ice for the ice house.

TO GIDEON GRANGER, ESQ.

MONTICELLO, January 24, 1810.

DEAR SIR,—I was sorry, by a letter from Mr. Barlow the other day, to learn the ill state of your health, and I sincerely wish that this may find you better. Young, temperate and prudent as you are, great confidence may be reposed in the provision nature has made for the restoration of order in your system when it has become deranged; she effects her object by strengthening the whole system, towards which medicine is generally mischievous. Nor are the sedentary habits of office friendly to it. But of all this your own good understanding, instructed by your experience, is the best judge. * * * * * * I cannot pass over this occasion of writing to you, the first presented me since retiring from office, without expressing to you my sense of the important aid I received from you in the able and faithful direction of the office committed to your charge. With such auxiliaries, the business and burden of government becomes all but insensible, and its painful anxieties are relieved by the

certainty that all is going right. In no department did I feel this sensation more strongly than in yours, and though at this time of little significance to yourself, it is a relief to my mind to discharge the duty of bearing this testimony to your valuable services. I must add my acknowledgments for your friendly interference in setting the public judgment to rights with respect to the Connecticut prosecutions, so falsely and maliciously charged on me. I refer to a statement of the facts in the National Intelligencer of many months past, which I was sensible came from your hand. I pray you to be assured of my great and constant attachment, esteem and respect.

TO J. GARLAND JEFFERSON.

MONTICELLO, January 25, 1810.

DEAR SIR,—Your favor of December 12th was long coming to hand. I am much concerned to learn that any disagreeable impression was made on your mind, by the circumstances which are the subject of your letter. Permit me first to explain the principles which I had laid down for my own observance. In a government like ours, it is the duty of the Chief Magistrate, in order to enable himself to do all the good which his station requires, to endeavor, by all honorable means, to unite in himself the confidence of the whole people. This alone, in any case where the energy of the nation is required, can produce a union of the powers of the whole, and point them in

a single direction, as if all constituted but one body and one mind, and this alone can render a weaker nation unconquerable by a stronger one. Towards acquiring the confidence of the people, the very first measure is to satisfy them of his disinterestedness, and that he is directing their affairs with a single eye to their good, and not to build up fortunes for himself and family, and especially, that the officers appointed to transact their business, are appointed because they are the fittest men, not because they are his relations. So prone are they to suspicion, that where a President appoints a relation of his own, however worthy, they will believe that favor and not merit, was the motive. I therefore laid it down as a law of conduct for myself, never to give an appointment to a relation. Had I felt any hesitation in adopting this rule, examples were not wanting to admonish me what to do and what to avoid. Still, the expression of your willingness to act in any office for which you were qualified, could not be imputed to you as blame. It would not readily occur that a person qualified for office ought to be rejected merely because he was related to the President, and the then more recent examples favored the other opinion. In this light I considered the case as presenting itself to your mind, and that the application might be perfectly justifiable on your part, while, for reasons occurring to none perhaps, but the person in my situation, the public interest might render it unadvisable. Of this, however, be assured that I consid-

ered the proposition as innocent on your part, and that it never lessened my esteem for you, or the interest I felt in your welfare.

My stay in Amelia was too short, (only twenty-four hours,) to expect the pleasure of seeing you there. It would be a happiness to me anywhere, but especially here, from whence I am rarely absent. I am leading a life of considerable activity as a farmer, reading little and writing less. Something pursued with ardor is necessary to guard us from the *tedium-vitæ*, and the active pursuits lessen most our sense of the infirmities of age. That to the health of youth you may add an old age of vigor, is the sincere prayer of yours affectionately.

TO JUDGE DAVID CAMPBELL.

MONTICELLO, January 28, 1810.

DEAR SIR,—Your letter of November 5th, was two months on its passage to me. I am very thankful for all the kind expressions of friendship in it, and I consider it a great felicity, through a long and trying course of life, to have retained the esteem of my early friends unaltered. I find in old age that the impressions of youth are the deepest and most indelible. Some friends, indeed, have left me by the way, seeking, by a different political path, the same object, their country's good, which I pursued with the crowd along the common highway. It is

a satisfaction to me that I was not the first to leave them. I have never thought that a difference in political, any more than in religious opinions, should disturb the friendly intercourse of society. There are so many other topics on which friends may converse and be happy, that it is wonderful they would select, of preference, the only one on which they cannot agree. I am sensible of the mark of esteem manifested by the name you have given to your son. Tell him from me, that he must consider as essentially belonging to it, to love his friends and wish no ill to his enemies. I shall be happy to see him here whenever any circumstance shall lead his footsteps this way. You doubt, between law and physic, which profession he shall adopt. His peculiar turn of mind, and your own knowledge of things will best decide this question. Law is quite overdone. It is fallen to the ground, and a man must have great powers to raise himself in it to either honor or profit. The mob of the profession get as little money and less respect, than they would by digging the earth. The followers of Esculapius are also numerous. Yet I have remarked that wherever one sets himself down in a good neighborhood, not pre-occupied, he secures to himself its practice, and if prudent, is not long in acquiring whereon to retire and live in comfort. The physician is happy in the attachment of the families in which he practices. All think he has saved some one of them, and he finds himself everywhere a welcome guest, a home in every house. If, to the

consciousness of having saved some lives, he can add that of having at no time, from want of caution, destroyed the boon he was called on to save, he will enjoy, in age, the happy reflection of not having lived in vain; while the lawyer has only to recollect how many, by his dexterity, have been cheated of their right and reduced to beggary. After all, I end where I began, with the observation that your son's disposition and your prudence, are the best arbiters of this question, and with the assurances of my great esteem and respect.

TO CÆSAR A. RODNEY.

MONTICELLO, February 10, 1810.

MY DEAR SIR,—I have to thank you for your favor of the 31st ultimo, which is just now received. It has been peculiarly unfortunate for us, personally, that the portion in the history of mankind, at which we were called to take a share in the direction of their affairs, was such an one as history has never before presented. At any other period, the even-handed justice we have observed towards all nations, the efforts we have made to merit their esteem by every act which candor or liberality could exercise, would have preserved our peace, and secured the unqualified confidence of all other nations in our faith and probity. But the hurricane which is now blasting the world, physical and moral, has prostrated all the mounds of reason as well as right. All those calcula-

tions which, at any other period, would have been deemed honorable, of the existence of a moral sense in man, individually or associated, of the connection which the laws of nature have established between his duties and his interests, of a regard for honest fame and the esteem of our fellow men, have been a matter of reproach on us, as evidences of imbecility. As if it could be a folly for an honest man to suppose that others could be honest also, when it is their interest to be so. And when is this state of things to end? The death of Bonaparte would, to be sure, remove the first and chiefest apostle of the desolation of men and morals, and might withdraw the scourge of the land. But what is to restore order and safety on the ocean? The death of George III? Not at all. He is only stupid; and his ministers, however weak and profligate in morals, are ephemeral. But his nation is permanent, and it is that which is the tyrant of the ocean. The principle that force is right, is become the principle of the nation itself. They would not permit an honest minister, were accident to bring such an one into power, to relax their system of lawless piracy. These were the difficulties when I was with you. I know they are not lessened, and I pity you.

It is a blessing, however, that our people are reasonable; that they are kept so well informed of the state of things as to judge for themselves, to see the true sources of their difficulties, and to maintain their confidence undiminished in the wisdom and

integrity of their functionaries. *Macte virtute* therefore. Continue to go straight forward, pursuing always that which is right, as the only clue which can lead us out of the labyrinth. Let nothing be spared of either reason or passion, to preserve the public confidence entire, as the only rock of our safety. In times of peace the people look most to their representatives; but in war, to the executive solely. It is visible that their confidence is even now veering in that direction; that they are looking to the executive to give the proper direction to their affairs, with a confidence as auspicious as it is well founded.

I avail myself of this, the first occasion of writing to you, to express all the depth of my affection for you; the sense I entertain of your faithful co-operation in my late labors, and the debt I owe for the valuable aid I received from you. Though separated from my fellow laborers in place and pursuit, my affections are with you all, and I offer daily prayers that ye love one another, as I love you. God bless you.

TO REV. SAMUEL KNOX.

MONTICELLO, February 12, 1810.

SIR,—Your favor of January 22d loitered on the way somewhere, so as not to come to my hand until the 5th instant. The title of the tract of Buchanan which you propose to translate, was familiar to me,

and I possessed the tract; but no circumstance had ever led me to look into it. Yet I think nothing more likely than that, in the free spirit of that age and state of society, principles should be avowed, which were felt and followed, although unwritten in the Scottish Constitution. Undefined powers had been entrusted to the crown, undefined rights retained by the people, and these depended for their maintenance on the spirit of the people, which, in that day was dependence sufficient. I shall certainly, after what you say of it, give it a serious reading. His latinity is so pure as to claim a place in school reading, and the sentiments which have recommended the work to your notice, are such as ought to be instilled into the minds of our youth on their first opening. The boys of the rising generation are to be the men of the next, and the sole guardians of the principles we deliver over to them. That I have acted through life of those on sincere republicanism I feel in every fibre of my constitution. And when men who feel like myself, bear witness in my favor, my satisfaction is complete. The testimony of approbation implied in the desire you express of coupling my name with Buchanan's work, and your translation of it, cannot but be acceptable and flattering; and the more so as coming from one of whom a small acquaintance had inspired me with a great esteem. This I am now happy in finding an occasion to express. The times which brought us within mutual observation were awfully trying. But truth and reason are eternal.

They have prevailed. And they will eternally prevail, however in times and places they may be overborne for a while by violence, military, civil, or ecclesiastical. The preservation of the holy fire is confided to us by the world, and the sparks which will emanate from it will ever serve to rekindle it in other quarters of the globe, *numinibus secundis*.

Amidst the immense mass of detraction which was published against me, when my fellow citizens proposed to entrust me with their concerns, and the efforts of more candid minds to expose their falsehood, I retain a remembrance of the pamphlet you mention. But I never before learned who was its author; nor was it known to me that Mr. Pechin had ever published a copy of the Notes on Virginia. But had all this been known, I should have seen myself with pride by your side. Wherever you lead, we may all safely follow, assured that it is in the path of truth and liberty. Mr. Pechin knew well that your introduction would plead for his author, and only erred in not asking your leave. Wishing every good effect which may follow your undertaking, I tender you the assurances of my high esteem and respect.

TO W. D. G. WORTHINGTON, ESQ.

MONTICELLO, February 24, 1810.

SIR,—I have to thank you for the pamphlet you have been so kind as to send me, and especially for its contents so far as they respect myself personally.

I had before read your speech in the newspapers, with great satisfaction, and the more, as, besides the able defence of the government, I saw that an absent and retired servant would still find, in the justice of the public counsellors, friendly advocates who would not suffer his name to be maligned without answer or reproof. If, brooding over past calamities, the attentions of federalism can, by abusing me, be diverted from disturbing the course of government, they will make me useful longer than I had expected to be so. Having served them faithfully for a term of twelve or fourteen years, in the terrific station of Rawhead and Bloodybones, it was supposed that, retired from power, I should have been *functus officio*, of course, for them also. If, nevertheless, they wish my continuance in that awful office, I yield, and the rather as it may be exercised at home, without interfering with the tranquil enjoyment of my farm, my family, my friends and books. In truth, having never felt a pain from their abuse, I bear them no malice. Contented with our government, elective as it is in three of its principal branches, I wish not, on Hamilton's plan, to see two of them for life; and still less, hereditary, as others desire. I believe that the yeomanry of the federalists think on this subject with me. They are substantially republican. But some of their leaders, who get into the public councils, would prefer Hamilton's government, and still more the hereditary one. *Hinc illæ lachrymæ.* I wish them no harm, but

that they may never get into power, not *for their harm*, but for the good of our country. I hope the friends of republican government will keep strict watch over them, and not let them want, when they need it, the wholesome discipline of which you have sent me a specimen. I commit them with entire confidence to your care, and salute you with esteem and respect.

TO WILLIAM A. BURWELL.

MONTICELLO, February 25, 1810.

DEAR SIR,—Yours of the 16th, has given me real uneasiness. I was certainly very unfortunate in the choice of my expression, when I hit upon one which could excite any doubt of my unceasing affections for you. In observing that you might use the information as you should find proper, I meant merely that you might communicate it to the President, the Secretaries of State or War, or to young Mr. Lee, as should be judged by yourself most proper. I meant particularly, to permit its communication to Mr. Lee, to enlighten his enquiries, for I do not know that his father received the medal. I could only conduct the information to the completion of the die and striking off a proof. With such assurances as I have of your affection, be assured that nothing but the most direct and unequivocal proofs can ever make me suspect its abatement, and conscious of as warm feelings towards yourself, I hope

you will ever be as unready to doubt them. Let us put this, then, under our feet.

I like your convoy bill, because although it does not assume the maintenance of all our maritime rights, it assumes as much as it is our interest to maintain. Our coasting trade is the first and most important branch, never to be yielded but with our existence. Next to that is the carriage of our own productions in our own vessels, and bringing back the returns for our own consumption; so far I would protect it, and force every part of the Union to join in the protection at the point of the bayonet. But though we have a right to the remaining branch of carrying for other nations, its advantages do not compensate its risks. Your bill first rallies us to the ground the Constitution ought to have taken, and to which we ought to return without delay; the moment is the most favorable possible, because the Eastern States, by declaring they will not protect that cabotage by war, and forcing us to abandon it, have released us from every future claim for its protection on that part. Your bill is excellent in another view: it presents still one other ground to which we can retire before we resort to war; it says to the belligerents, rather than go to war, we will retire from the brokerage of other nations, and confine ourselves to the carriage and exchange of our own productions; but we will vindicate that in all its rights—if you touch it, it is war.

The present delightful weather has drawn us all

into our farms and gardens; we have had the most devastating rain which has ever fallen within my knowledge. Three inches of water fell in the space of about an hour. Every hollow of every hill presented a torrent which swept everything before it. I have never seen the fields so much injured. Mr. Randolph's farm is the only one which has not suffered; his horizontal furrows arrested the water at every step till it was absorbed, or at least had deposited the soil it had taken up. Everybody in this neighborhood is adopting his method of ploughing, except tenants who have no interest in the preservation of the soil.

Present me respectfully to Mrs. Burwell, and be assured of my constant affection.

TO GENERAL THADDEUS KOSCIUSKO.

MONTICELLO, February 26, 1810.

MY DEAR GENERAL AND FRIEND,—I have rarely written to you; never but by safe conveyances; and avoiding everything political, lest coming from one in the station I then held, it might be imputed injuriously to our country, or perhaps even excite jealousy of you. Hence my letters were necessarily dry. Retired now from public concerns, totally unconnected with them, and avoiding all curiosity about what is done or intended, what I say is from myself only, the workings of my own mind, imputable to nobody else.

The anxieties which I know you have felt, on seeing exposed to the jostlings of a warring world, a country to which, in early life, you devoted your sword and services when oppressed by foreign dominion, were worthy of your philanthropy and disinterested attachment to the freedom and happiness of man. Although we have not made all the provisions which might be necessary for a war in the field of Europe, yet we have not been inattentive to such as would be necessary here. From the moment that the affair of the Chesapeake rendered the prospect of war imminent, every faculty was exerted to be prepared for it, and I think I may venture to solace you with the assurance, that we are, in a good degree, prepared. Military stores for many campaigns are on hand, all the necessary articles (sulphur excepted), and the art of preparing them among ourselves, abundantly; arms in our magazines for more men than will ever be required in the field, and forty thousand new stand yearly added, of our own fabrication, superior to any we have ever seen from Europe; heavy artillery much beyond our need; an increasing stock of field pieces, several foundries casting one every other day each; a military school of about fifty students, which has been in operation a dozen years; and the manufacture of men constantly going on, and adding forty thousand young soldiers to our force every year that the war is deferred; at all our seaport towns of the least consequence we have erected works of defence, and

assigned them gunboats, carrying one or two heavy pieces, either eighteen, twenty-four, or thirty-two pounders, sufficient in the smaller harbors to repel the predatory attacks of privateers or single armed ships, and proportioned in the larger harbors to such more serious attacks as they may probably be exposed to. All these were nearly completed, and their gunboats in readiness, when I retired from the government. The works of New York and New Orleans alone, being on a much larger scale, are not yet completed. The former will be finished this summer, mounting four hundred and thirty-eight guns, and, with the aid of from fifty to one hundred gunboats, will be adequate to the resistance of any fleet which will ever be trusted across the Atlantic. The works for New Orleans are less advanced. These are our preparations. They are very different from what you will be told by newspapers, and travellers, even Americans. But it is not to them the government communicates the public condition. Ask one of them if he knows the exact state of any particular harbor, and you will find probably that he does not know even that of the one he comes from. You will ask, perhaps, where are the proofs of these preparations for one who cannot go and see them. I answer, in the acts of Congress, authorizing such preparations, and in your knowledge of me, that, if authorized, they would be executed.

Two measures have not been adopted, which I pressed on Congress repeatedly at their meetings.

The one, to settle the whole ungranted territory of Orleans, by donations of land to able-bodied young men, to be engaged and carried there at the public expense, who would constitute a force always ready on the spot to defend New Orleans. The other was, to class the militia according to the years of their birth, and make all those from twenty to twenty-five liable to be trained and called into service at a moment's warning. This would have given us a force of three hundred thousand young men, prepared by proper training, for service in any part of the United States; while those who had passed through that period would remain at home, liable to be used in their own or adjacent States. These two measures would have completed what I deemed necessary for the entire security of our country. They would have given me, on my retirement from the government of the nation, the consolatory reflection, that having found, when I was called to it, not a single seaport town in a condition to repel a levy of contribution by a single privateer or pirate, I had left every harbor so prepared by works and gunboats, as to be in a reasonable state of security against any probable attack; the territory of Orleans acquired, and planted with an internal force sufficient for its protection; and the whole territory of the United States organized by such a classification of its male force, as would give it the benefit of all its young population for active service, and that of a middle and advanced age for stationary defence.

But these measures will, I hope, be completed by my successor, who, to the purest principles of republican patriotism, adds a wisdom and foresight second to no man on earth.

So much as to my country. Now a word as to myself. I am retired to Monticello, where, in the bosom of my family, and surrounded by my books, I enjoy a repose to which I have been long a stranger. My mornings are devoted to correspondence. From breakfast to dinner, I am in my shops, my garden, or on horseback among my farms; from dinner to dark, I give to society and recreation with my neighbors and friends; and from candle light to early bed-time, I read. My health is perfect; and my strength considerably reinforced by the activity of the course I pursue; perhaps it is as great as usually falls to the lot of near sixty-seven years of age. I talk of ploughs and harrows, of seeding and harvesting, with my neighbors, and of politics too, if they choose, with as little reserve as the rest of my fellow citizens, and feel, at length, the blessing of being free to say and do what I please, without being responsible for it to any mortal. A part of my occupation, and by no means the least pleasing, is the direction of the studies of such young men as ask it. They place themselves in the neighboring village, and have the use of my library and counsel, and make a part of my society. In advising the course of their reading, I endeavor to keep their attention fixed on the main objects of all science, the freedom

and happiness of man. So that coming to bear a share in the councils and government of their country, they will keep ever in view the sole objects of all legitimate government.

* * * * * * * * *

Instead of the unalloyed happiness of retiring unembarrassed and independent, to the enjoyment of my estate, which is ample for my limited views, I have to pass such a length of time in a thraldom of mind never before known to me. Except for this, my happiness would have been perfect. That yours may never know disturbance, and that you may enjoy as many years of life, as health and ease to yourself shall wish, is the sincere prayer of your constant and affectionate friend.

TO DOCTOR WALTER JONES.

MONTICELLO, March 5, 1810.

DEAR SIR,—I received duly your favor of the 19th ultimo, and I salute you with all ancient and recent recollections of friendship. I have learned, with real sorrow, that circumstances have arisen among our executive counsellors, which have rendered foes those who once were friends. To themselves it will be a source of infinite pain and vexation, and therefore chiefly I lament it, for I have a sincere esteem for both parties. To the President it will be really inconvenient; but to the nation I do not know that it can do serious injury, unless we were

to believe the newspapers, which pretend that Mr. Gallatin will go out. That indeed would be a day of mourning for the United States; but I hope that the position of both gentlemen may be made so easy as to give no cause for either to withdraw. The ordinary business of every day is done by consultation between the President and the Head of the department alone to which it belongs. For measures of importance or difficulty, a consultation is held with the Heads of departments, either assembled, or by taking their opinions separately in conversation or in writing. The latter is most strictly in the spirit of the Constitution. Because the President, on weighing the advice of all, is left free to make up an opinion for himself. In this way they are not brought together, and it is not necessarily known to any what opinion the others have given. This was General Washington's practice for the first two or three years of his administration, till the affairs of France and England threatened to embroil us, and rendered consideration and discussion desirable. In these discussions, Hamilton and myself were daily pitted in the Cabinet like two cocks. We were then but four in number, and, according to the majority, which of course was three to one, the President decided. The pain was for Hamilton and myself, but the public experienced no inconvenience. I practised this last method, because the harmony was so cordial among us all, that we never failed, by a contribution of mutual views on

the subject, to form an opinion acceptable to the whole. I think there never was one instance to the contrary, in any case of consequence. Yet this does, in fact, transform the executive into a directory, and I hold the other method to be more constitutional. It is better calculated, too, to prevent collision and irritation, and to cure it, or at least suppress its effects when it has already taken place. It is the obvious and sufficient remedy in the present case, and will doubtless be resorted to.

Our difficulties are indeed great, if we consider ourselves alone. But when viewed in comparison to those of Europe, they are the joys of Paradise. In the eternal revolution of ages, the destinies have placed our portion of existence amidst such scenes of tumult and outrage, as no other period, within our knowledge, had presented. Every government but one on the continent of Europe, demolished, a conqueror roaming over the earth with havoc and destruction, a pirate spreading misery and ruin over the face of the ocean. Indeed, my friend, ours is a bed of roses. And the system of government which shall keep us afloat amidst the wreck of the world, will be immortalized in history. We have, to be sure, our petty squabbles and heart burnings, and we have something of the blue devils at times, as to these rawheads and bloodybones who are eating up other nations. But happily for us, the Mammoth cannot swim, nor the Leviathan move on dry land; and if we will keep out of their way, they cannot get

at us. If, indeed, we choose to place ourselves within the scope of their tether, a gripe of the paw, or flounce of the tail, may be our fortune. Our business certainly was to be still. But a part of our nation chose to declare against this, in such a way as to control the wisdom of the government. I yielded with others, to avoid a greater evil. But from that moment, I have seen no system which could keep us entirely aloof from these agents of destruction. If there be any, I am certain that you, my friends, now charged with the care of us all, will see and pursue it. I give myself, therefore, no trouble with thinking or puzzling about it. Being confident in my watchmen I sleep soundly. God bless you all, and send you a safe deliverance.

TO GOVERNOR JOHN LANGDON.[1]

MONTICELLO, March 5, 1810.

Your letter, my dear friend, of the 18th ultimo, comes like the refreshing dews of the evening on a thirsty soil. It recalls ancient as well as recent recollections, very dear to my heart. For five and thirty years we have walked together through a land of tribulations. Yet these have passed away, and so, I trust, will those of the present day. The toryism with which we struggled in '77, differed but in name from the federalism of '99, with which we struggled also; and the Anglicism of 1808, against

[1] Governor of New Hampshire.

which we are now struggling, is but the same thing still in another form. It is a longing for a King, and an English King rather than any other. This is the true source of their sorrows and wailings.

The fear that Bonaparte will come over to us and conquer us also, is too chimerical to be genuine. Supposing him to have finished Spain and Portugal, he has yet England and Russia to subdue. The maxim of war was never sounder than in this case, not to leave an enemy in the rear; and especially where an insurrectionary flame is known to be under the embers, merely smothered, and ready to burst at every point. These two subdued, (and surely the Anglomen will not think the conquest of England alone a short work,) ancient Greece and Macedonia, the cradle of Alexander, his prototype, and Constantinople, the seat of empire for the world, would glitter more in his eye than our bleak mountains and rugged forests. Egypt, too, and the golden apples of Mauritania, have for more than half a century fixed the longing eyes of France; and with Syria, you know, he has an old affront to wipe out. Then come "Pontus and Galatia, Cappadocia, Asia and Bithynia," the fine countries on the Euphrates and Tigris, the Oxus and Indus, and all beyond the Hyphasis, which bounded the glories of his Macedonian rival; with the invitations of his new British subjects on the banks of the Ganges, whom, after receiving under his protection the Mother country, he cannot refuse to visit. When all this is

done and settled, and nothing of the old world remains unsubdued, he may turn to the new one. But will he attack us first, from whom he will get but hard knocks and no money? Or will he first lay hold of the gold and silver of Mexico and Peru, and the diamonds of Brazil? A *republican* Emperor, from his affection to republics, independent of motives of expediency, must grant to ours the Cyclop's boon of being the last devoured. While all this is doing, we are to suppose the chapter of accidents read out, and that nothing can happen to cut short or to disturb his enterprises.

But the Anglomen, it seems, have found out a much safer dependence than all these chances of death or disappointment. That is, that we should first let England plunder us, as she has been doing for years, for fear Bonaparte should do it; and then ally ourselves with her, and enter into the war. A conqueror, whose career England could not arrest when aided by Russia, Austria, Prussia, Sweden, Spain and Portugal, she is now to destroy, with all these on his side, by the aid of the United States alone. This, indeed, is making us a mighty people. And what is to be our security, that when embarked for her in the war, she will not make a separate peace, and leave us in the lurch? Her good faith! The faith of a nation of merchants! The *Punica fides* of modern Carthage! Of the friend and protectress of Copenhagen! Of the nation who never admitted a chapter of morality into her political code! And

is now boldly avowing that whatever power can make hers, is hers of right. Money, and not morality, is the principle of commerce and commercial nations. But, in addition to this, the nature of the English government forbids, of itself, reliance on her engagements; and it is well known she has been the least faithful to her alliances of any nation of Europe, since the period of her history wherein she has been distinguished for her commerce and corruption, that is to say, under the houses of Stuart and Brunswick. To Portugal alone she has steadily adhered, because, by her Methuin treaty, she had made it a colony, and one of the most valuable to her. It may be asked, what, in the nature of her government, unfits England for the observation of moral duties? In the first place, her King is a cypher; his only function being to name the oligarchy which is to govern her. The parliament is, by corruption, the mere instrument of the will of the administration. The real power and property in the government is in the great aristocratical families of the nation. The nest of office being too small for all of them to cuddle into at once, the contest is eternal, which shall crowd the other out. For this purpose, they are divided into two parties, the Ins and the Outs, so equal in weight that a small matter turns the balance. To keep themselves in, when they are in, every stratagem must be practised, every artifice used which may flatter the pride, the passions or power of the nation. Justice, honor, faith

must yield to the necessity of keeping themselves in place. The question whether a measure is moral, is never asked; but whether it will nourish the avarice of their merchants, or the piratical spirit of their navy, or produce any other effect which may strengthen them in their places. As to engagements, however positive, entered into by the predecessors of the Ins, why, they were their enemies; they did everything which was wrong; and to reverse everything which they did, must, therefore, be right. This is the true character of the English government in practice, however different its theory; and it presents the singular phenomenon of a nation, the individuals of which are as faithful to their private engagements and duties, as honorable, as worthy, as those of any nation on earth, and whose government is yet the most unprincipled at this day known. In an absolute government there can be no such equiponderant parties. The despot is the government. His power suppressing all opposition, maintains his ministers firm in their places. What he has contracted, therefore, through them, he has the power to observe with good faith; and he identifies his own honor and faith with that of his nation.

When I observed, however, that the King of England was a cypher, I did not mean to confine the observation to the mere individual now on that throne. The practice of Kings marrying only in the families of Kings, has been that of Europe for some centuries. Now, take any race of animals,

confine them in idleness and inaction, whether in a stye, a stable or a state-room, pamper them with high diet, gratify all their sexual appetites, immerse them in sensualities, nourish their passions, let everything bend before them, and banish whatever might lead them to think, and in a few generations they become all body and no mind; and this, too, by a law of nature, by that very law by which we are in the constant practice of changing the characters and propensities of the animals we raise for our own purposes. Such is the regimen in raising Kings, and in this way they have gone on for centuries. While in Europe, I often amused myself with contemplating the characters of the then reigning sovereigns of Europe. Louis the XVI. was a fool, of my own knowledge, and in despite of the answers made for him at his trial. The King of Spain was a fool, and of Naples the same. They passed their lives in hunting, and despatched two couriers a week, one thousand miles, to let each other know what game they had killed the preceding days. The King of Sardinia was a fool. All these were Bourbons. The Queen of Portugal, a Braganza, was an idiot by nature. And so was the King of Denmark. Their sons, as regents, exercised the powers of government. The King of Prussia, successor to the great Frederick, was a mere hog in body as well as in mind. Gustavus of Sweden, and Joseph of Austria, were really crazy, and George of England, you know, was in a straight waistcoat. There

remained, then, none but old Catharine, who had been too lately picked up to have lost her common sense. In this state Bonaparte found Europe; and it was this state of its rulers which lost it with scarce a struggle. These animals had become without mind and powerless; and so will every hereditary monarch be after a few generations. Alexander, the grandson of Catharine, is as yet an exception. He is able to hold his own. But he is only of the third generation. His race is not yet worn out. And so endeth the book of Kings, from all of whom the Lord deliver us, and have you, my friend, and all such good men and true, in His holy keeping.

TO ABBÉ SALIMANKIS.

MONTICELLO, March 14, 1810.

SIR,—I have duly received your favor of February 27th and am very thankful for the friendly sentiments therein expressed towards myself, as well as for the pamphlet enclosed. That it contains many serious truths and sound admonitions every reader will be sensible. At the same time it is a comfort that the medal has two sides. I do not myself contemplate human nature in quite so sombre a view. That there is much vice and misery in the world, I know; but more virtue and happiness I believe, at least in our part of it; the latter being the lot of those employed in agriculture in a greater degree than of other callings. That we are overdone with

banking institutions, which have banished the precious metals, and substituted a more fluctuating and unsafe medium, that these have withdrawn capital from useful improvements and employments to nourish idleness, that the wars of the world have swollen our commerce beyond the wholesome limits of exchanging our own productions for our own wants, and that, for the emolument of a small proportion of our society, who prefer these demoralizing pursuits to labors useful to the whole, the peace of the whole is endangered, and all our present difficulties produced, are evils more easily to be deplored than remedied. They should lead us to direct our prayers, if our philanthropy fails to do it, for the re-establishment of peace in Europe, when our commerce must of course return to its proper objects, and the idle to habits of industry. To these prayers, in which you will not fail to join, let me add my best wishes and respects for yourself.

TO ROBERT FULTON.

MONTICELLO, March 17, 1810.

DEAR SIR,—I have duly received your favor of February 24th covering one of your pamphlets on the Torpedo. I have read it with pleasure. This was not necessary to give them favor in my eye. I am not afraid of new inventions or improvements, nor bigoted to the practices of our forefathers. It is that bigotry which keeps the Indians in a state of

barbarism in the midst of the arts, would have kept us in the same state even now, and still keeps Connecticut where their ancestors were when they landed on these shores. I am much pleased that Congress is taking up the business. Where a new invention is supported by well-known principles, and promises to be useful, it ought to be tried. Your torpedoes will be to cities what vaccination has been to mankind. It extinguishes their greatest danger. But there will still be navies. Not for the destruction of cities, but for the plunder of commerce on the high seas. That the tories should be against you is in character, because it will curtail the power of their idol, England.

I am thankful to you for the trouble you have taken in thinking of the felier hydraulique. To be put into motion by the same power which was to continue the motion was certainly wanting to that machine, as a better name still is. I would not give you the trouble of having a model made, as I have workmen who can execute from the drawing. I pray you to accept the assurances of my great esteem and respect.

TO G. VOOLIF, PERPETUAL SECRETARY OF THE FIRST CLASS OF THE ROYAL INSTITUTE OF SCIENCES, OF LITERATURE AND OF FINE ARTS, AT AMSTERDAM.

MONTICELLO, May 2, 1810.

SIR,—Your letter of the 10th of May of the last year came but lately to my hands. I am duly sen-

sible of the honor done me by the first class of the Royal Institute of sciences, of literature, and of fine arts, in associating me to their class, and by the approbation which his Majesty the King of Holland has condescended to give to their choice. His patronage of institutions for extending among mankind the boundaries of information, proves his just sense of the cares devolved on him by his high station, and commands the approving voice of all the sons of men. If mine can be heard from this distance among them, it will be through the benefit of the special communication which your position may procure it, and which I am to request. I pray you to present also my thanks to the first class for this mark of their distinction, which I receive with due sensibility and gratitude. Sincerely a friend to science, and feeling the fraternal relation it establishes among the whole family of its votaries, wheresoever dispersed through nations friendly or hostile, I shall be happy at all times in fulfilling any particular views which the society may extend to this region of the globe, and in being made useful to them in any special services they will be pleased to give me an opportunity of rendering. To yourself, Sir, I tender the assurances of my particular respect and high consideration.

TO HIS EXCELLENCY GOVERNOR W. C. C. CLAIBORNE.

MONTICELLO, May 3, 1810.

SIR,—Your favor of February 1st lately came to my hands. It brings me new proofs, in the resolutions it enclosed, of the indulgence with which the Legislature of Orleans has been pleased to view my conduct in the various duties assigned to me by our common country. The times in which we have lived have called for all the services which any of its citizens could render, and if mine have met approbation they are fully rewarded.

The interposition noticed by the Legislature of Orleans was an act of duty of the office I then occupied. Charged with the care of the general interest of the nation, and among these with the preservation of their lands from intrusion, I exercised, on their behalf, a right given by nature to all men, individual or associated, that of rescuing their own property wrongfully taken. In cases of forcible entry on individual possessions, special provisions, both of the common and civil law, have restrained the right of rescue by private force, and substituted the aid of the civil power. But no law has restrained the right of the nation itself from removing by its own arm, intruders on its possessions. On the contrary, a statute recently passed, had required that such removals should be diligently made. The Batture of New Orleans, being a part of the bed contained between the two banks of the river, a naked shoal

indeed at low water, but covered through the whole season of its regular full tides, and then forming the ground of the port and harbor for the upper navigation, over which vessels ride of necessity when moored to the bank, I deemed it public property, in which all had a common use. The removal, too, of the force which had possessed itself of it, was the more urgent from the interruption it might give to the commerce, and other lawful uses, of the inhabitants of the city and of the western waters generally.

If this aid from the public authority was particularly interesting to the territory of Orleans, it certainly adds new satisfaction to my consciousness of having done what was right.

I ask the favor of you to convey to the Legislature of Orleans, my gratitude for the interest they are so kind as to express in my future happiness; and I pray to the Governor of the Universe, that He may always have them and our country in His holy keeping.

TO HIS EXCELLENCY GOVERNOR W. C. C. CLAIBORNE.

MONTICELLO, May 3, 1810.

DEAR SIR,—Your letters of January 12th and February 1st, came to hand only a fortnight ago. The enclosed contains my answer to the latter, for communication to the legislature. So many false views on the subject of the batture have been presented in and out of Congress, that duty to myself,

as well as justice to the citizens of New Orleans and of the western country generally, required that I should avail myself of the occasion these resolutions presented, of stating, in the fewest words possible, the true ground of my conduct, and, as I think, of the rights of the western country. But the occasion also restricted me to the limits of a short text only, every word of which would be matter for copious commentary, in a dilated discussion of the subject. Has Moreau de l'Isle's opinion ever been printed? I wish it were possible to get a copy of it. Perhaps I might be able to make good use of it.

Before the receipt of your letter of January 12th, I had heard of your great loss, and been impressed with the depth of it. Long tried in the same school of affliction, no loss which can rend the human heart is unknown to mine; and a like one particularly, at about the same period of life, had taught me to feel the sympathies of yours. The same experience has proved that time, silence and occupation are its only medicines. Of occupation, you have enough and of the highest order; that of continuing to make a worthy people happy by a just and parental government, and of protecting them from the wolves prowling around to devour them. Your own example will be the best lesson for the son which has been left to comfort you, to whose course in life I hope it will give a shape which shall make him truly a comfort and support to your latter days, protracted to your own wishes.

I really wish effect to the hints in my letter to you for so laying off the additions to the city of New Orleans, as to shield it from yellow fever. My confidence in the idea is founded in the acknowledged experience that we have never seen the *genuine* yellow fever extend itself into the country, nor even to the outskirts or open parts of a close-built city. In the plan I propose, every square would be surrounded, on every side, by open and pure air, and would, in fact, be a separate town with fields or open suburbs around it.

TO MESSRS. HUGH L. WHITE, THOMAS M'CORRY, JAMES CAMPBELL, ROBERT CRAIGHEAD, JOHN N. GAMBLE, TRUSTEES FOR THE LOTTERY OF EAST TENNESSEE COLLEGE.

MONTICELLO, May 6, 1810.

GENTLEMEN,—I received, some time ago, your letter of February 28th, covering a printed scheme of a lottery for the benefit of the East Tennessee College, and proposing to send tickets to me to be disposed of. It would be impossible for them to come to a more inefficient hand. I rarely go from home, and consequently see but a few neighbors and friends, who occasionally call on me. And having myself made it a rule never to engage in a lottery or any other adventure of mere chance, I can, with the less candor or effect, urge it on others, however laudable or desirable its object may be.

No one more sincerely wishes the spread of information among mankind than I do, and none has greater confidence in its effect towards supporting free and good government. I am sincerely rejoiced, therefore, to find that so excellent a fund has been provided for this noble purpose in Tennessee. Fifty thousand dollars placed in a safe bank, will give four thousand dollars a year, and even without other aid, must soon accomplish buildings sufficient for the object in its early stage. I consider the common plan followed in this country, but not in others, of making one large and expensive building, as unfortunately erroneous. It is infinitely better to erect a small and separate lodge for each separate professorship, with only a hall below for his class, and two chambers above for himself; joining these lodges by barracks for a certain portion of the students, opening into a covered way to give a dry communication between all the schools. The whole of these arranged around an open square of grass and trees, would make it, what it should be in fact, an academical village, instead of a large and common den of noise, of filth and of fetid air. It would afford that quiet retirement so friendly to study, and lessen the dangers of fire, infection and tumult. Every professor would be the police officer of the students adjacent to his own lodge, which should include those of his own class of preference, and might be at the head of their table, if, as I suppose, it can be reconciled with the necessary economy

to dine them in smaller and separate parties, rather than in a large and common mess. These separate buildings, too, might be erected successively and occasionally, as the number of professorships and students should be increased, or the funds become competent.

I pray you to pardon me if I have stepped aside into the province of counsel; but much observation and reflection on these institutions have long convinced me that the large and crowded buildings in which youths are pent up, are equally unfriendly to health, to study, to manners, morals and order; and, believing the plan I suggest to be more promotive of these, and peculiarly adapted to the slender beginnings and progressive growth of our institutions, I hoped you would pardon the presumption, in consideration of the motive which was suggested by the difficulty expressed in your letter, of procuring funds for erecting the building. But, on whatever plan you proceed, I wish it every possible success, and to yourselves the reward of esteem, respect and gratitude due to those who devote their time and efforts to render the youths of every successive age fit governors for the next. To these accept, in addition, the assurances of mine.

TO THE PRESIDENT OF THE UNITED STATES (JAMES MADISON).

MONTICELLO, May 13, 1810.

DEAR SIR,—I thank you for your promised attention to my portion of the Merinos, and if there be any expenses of transportation, etc., and you will be so good as to advance my portion of them with yours and notify the amount, it shall be promptly remitted. What shall we do with them? I have been so disgusted with the scandalous extortions lately practiced in the sale of these animals, and with the description of patriotism and praise to the sellers, as if the thousands of dollars apiece they have not been ashamed to receive were not reward enough, that I am disposed to consider as right, whatever is the reverse of what they have done. Since fortune has put the occasion upon us, is it not incumbent upon us so to dispense this benefit to the farmers of our country, as to put to shame those who, forgetting their own wealth and the honest simplicity of the farmers, have thought them fit objects of the shaving art, and to excite, by a better example, the condemnation due to theirs? No sentiment is more acknowledged in the family of Agriculturists than that the few who can afford it should incur the risk and expense of all new improvements, and give the benefit freely to the many of more restricted circumstances. The question then recurs, What are we to do with them? I shall be willing to concur with

you in any plan you shall approve, and in order that we may have some proposition to begin upon, I will throw out a first idea, to be modified or postponed to whatever you shall think better.

Give all the full-blooded males we can raise to the different counties of our State, one to each, as fast as we can furnish them. And as there must be some rule of priority for the distribution, let us begin with our own counties which are contiguous and nearly central to the State, and proceed, circle after circle, till we have given a ram to every county. This will take about seven years, if we add to the full descendants those which will have passed to the fourth generation from common ewes. To make the benefit of a single male as general as practicable to the county, we may ask some known character in each county to have a small society formed which shall receive the animal and prescribe rules for his care and government. We should retain ourselves all the full-blooded ewes, that they may enable us the sooner to furnish a male to every county. When all shall have been provided with rams, we may, in a year or two more, be in a condition to give an ewe also to every county, if it be thought necessary. But I suppose it will not, as four generations from their full-blooded ram will give them the pure race from common ewes.

In the meantime we shall not be without a profit indemnifying our trouble and expense. For if of our present stock of common ewes, we place with

the ram as many as he may be competent to, suppose fifty, we may sell the male lambs of every year for such reasonable price as, in addition to the wool, will pay for the maintenance of the flock. The first year they will be half-bloods, the second three-quarters, the third seven-eighths, and the fourth full-blooded; if we take care in selling annually half the ewes also, to keep those of highest blood, this will be a fund for kindnesses to our friends, as well as for indemnification to ourselves; and our whole State may thus, from this small stock, so dispersed, be filled in a very few years with this valuable race, and more satisfaction result to ourselves than money ever administered to the bosom of a shaver. There will be danger that what is here proposed, though but an act of ordinary duty, may be perverted into one of ostentation, but malice will always find bad motives for good actions. Shall we therefore never do good? It may also be used to commit us with those on whose example it will truly be a reproof. We may guard against this perhaps by a proper reserve, developing our purpose only by its execution.

Vive, vale, et siquid novisti rectius istis
Candidus imperti sinon, his ulere mecum.

TO GOVERNOR JOHN TYLER.

MONTICELLO, May 26, 1810.

DEAR SIR,—Your friendly letter of the 12th has been duly received. Although I have laid it down

as a law to myself, never to embarrass the President with my solicitations, and have not till now broken through it, yet I have made a part of your letter the subject of one to him, and have done it with all my heart, and in the full belief that I serve him and the public in urging that appointment. We have long enough suffered under the base prostitution of law to party passions in one judge, and the imbecility of another. In the hands of one the law is nothing more than an ambiguous text, to be explained by his sophistry into any meaning which may subserve his personal malice. Nor can any milk-and-water associate maintain his own dependence, and by a firm pursuance of what the law really is, extend its protection to the citizens or the public. I believe you will do it, and where you cannot induce your colleague to do what is right, you will be firm enough to hinder him from doing what is wrong, and by opposing sense to sophistry, leave the juries free to follow their own judgment.

I have long lamented with you the depreciation of law science. The opinion seems to be that Blackstone is to us what the Alcoran is to the Mahometans, that everything which is necessary is in him, and what is not in him is not necessary. I still lend my counsel and books to such young students as will fix themselves in the neighborhood. Coke's institutes and reports are their first, and Blackstone their last book, after an intermediate course of two or three years. It is nothing more than an elegant digest

of what they will then have acquired from the real fountains of the law. Now, men are born scholars, lawyers, doctors; in our day, this was confined to poets. You wish to see me again in the legislature, but this is impossible; my mind is now so dissolved in tranquillity, that it can never again encounter a contentious assembly; the habits of thinking and speaking off-hand, after a disuse of five and twenty years, have given place to the slower process of the pen. I have indeed two great measures at heart, without which no republic can maintain itself in strength. 1. That of general education, to enable every man to judge for himself what will secure or endanger his freedom. 2. To divide every county into hundreds, of such size that all the children of each will be within reach of a central school in it. But this division looks to many other fundamental provisions. Every hundred, besides a school, should have a justice of the peace, a constable and a captain of militia. These officers, or some others within the hundred, should be a corporation to manage all its concerns, to take care of its roads, its poor, and its police by patrols, etc. (as the selectmen of the eastern townships). Every hundred should elect one or two jurors to serve where requisite, and all other elections should be made in the hundreds separately, and the votes of all the hundreds be brought together. Our present captaincies might be declared hundreds for the present, with a power to the courts to alter them occasionally. These little

republics would be the main strength of the great one. We owe to them the vigor given to our revolution in its commencement in the Eastern States, and by them the Eastern States were enabled to repeal the embargo in opposition to the Middle, Southern and Western States, and their large and lubberly division into counties which can never be assembled. General orders are given out from a centre to the foreman of every hundred, as to the sergeants of an army, and the whole nation is thrown into energetic action, in the same direction in one instant and as one man, and becomes absolutely irresistible. Could I once see this I should consider it as the dawn of the salvation of the republic, and say with old Simeon, "nunc dimittis Domine." But our children will be as wise as we are, and will establish in the fullness of time those things not yet ripe for establishment. So be it, and to yourself health, happiness and long life.

TO HIS EXCELLENCY, COUNT PAHLEN, ENVOY EXTRAORDINARY AND MINISTER PLENIPOTENTIARY OF RUSSIA.

MONTICELLO, July 13, 1810.

SIR,—I have been honored with your letter of the 25th ultimo, and have to return you my thanks for those of Madame de Tessé and General La Fayette, and for the print of Baron Humboldt, all of which are come safely to hand, and present to me the proofs

and recollections of their much-valued friendships. To these acknowledgments, permit me to add my congratulations on your safe arrival in the United States, after journeys and voyages which, from their length, cannot have been pleasant. If, after this, it shall be found that a change of twenty degrees of latitude shall have no unfavorable influence on your health, it will furnish double cause of felicitation.

I am much flattered by the kind notice of the Emperor, which you have been so obliging as to communicate to me. The approbation of the good is always consoling; but that of a sovereign whose station and endowments are so pre-eminent, is received with the sensibility which the veneration for his character inspires. Among other motives of commiseration which the calamities of Europe cannot fail to excite in every virtuous mind, the interruption which these have given to the benevolent views of the Emperor is prominent. The accession of a sovereign, with the dispositions and qualifications to improve the condition of a great nation, and to place its happiness on a permanent basis, is a phenomenon so rare in the annals of mankind, that, when the blessing occurs, it is lamentable that any portion of it should be usurped by occurrences of the character of those we have seen. If, separated from these scenes by an ocean of a thousand leagues breadth, they have required all our cares to keep aloof from their desolating effects, I

can readily conceive how much more they must occupy those to whose territories they are contiguous.

That the Emperor may be able, whenever a pacification takes place, to show himself the father and friend of the human race, to restore to nations the moral laws which have governed their intercourse, and to prevent, forever, a repetition of those ravages by sea and land, which will distinguish the present as an age of Vandalism, I sincerely pray.

I consider as a happy augury, the choice which the Emperor has made of a person to reside near our government, so distinguished by his dispositions and qualifications to cherish the friendship and the interests of both nations. With my best wishes that your residence among us may be rendered entirely agreeable, and be accompanied with the blessing of health, accept the assurances of my great respect and consideration.

TO C. G. G. BOTTA.

MONTICELLO, July 15, 1810.

SIR,—I am honored with your letter of the 12th of January, and although the work you therein mention is not yet come to hand, I avail myself of an occasion, now rendered rare and precarious between our two countries, of anticipating the obligation I shall owe for the pleasure I shall have in perusing it, and of travelling over with you the important scenes, *quorum pars minima fui*, scenes which have given

an impulsion to the world, which, as to ourselves, has been a great blessing, but whether to Europe or not, can only be estimated by Him who sees the future as well as the present and past. We are certainly indebted to those who think our revolution worthy of their pen, and who will do justice to our actions and motives; and to yourself I have no doubt we shall owe this obligation, and I now make you my acknowledgments with confidence and pleasure. It will be a worthy preface to the history of this age of revolutions, to be ended we know not when nor how. I pray you to accept the assurances of my great respect and consideration.

TO WILLIAM LAMBERT.

MONTICELLO, July 16, 1810.

SIR,—An indispensable piece of business which has occupied me for a month past, obliged me to suspend all correspondence during that time. This must apologize for my late acknowledgment of your favor of May 19th, and for the tardy expression of my thanks for so much of the papers you enclosed as respected myself. The approbation of my political conduct by my republican countrymen generally, is a pillow of sweet repose to me, undisturbed by the noise of the enemies to our form of government. The political sentiments expressed by your society, are in the pure spirit of the principles of our revolution; so long as these prevail, we are safe from

everything which can assail us from without or within.

Your several communications on the first meridian, have been regularly handed to the Philosophical Society; not corresponding regularly with any of the members, I have received no information respecting them. I have formerly observed to you that while I entertain no doubt of their accuracy, my own familiarity with the subject had been too long suspended, to enable me to render a critical opinion on them. My occupations here are almost exclusively given to my farm and affairs. They furnish me exercise, health and amusement, and with the recreations of family and neighborly society, fill up most of my time, and give a tranquillity necessary to my time of life. With my best wishes for your prosperity, accept the assurances of my esteem and respect.

TO GENERAL HENRY DEARBORN.

MONTICELLO, July 16, 1810.

DEAR GENERAL AND FRIEND,—Your favor of May the 31st was duly received, and I join in congratulations with you on the resurrection of republican principles in Massachusetts and New Hampshire, and the hope that the professors of these principles will not again easily be driven off their ground. The federalists, during their short-lived ascendency, have nevertheless, by forcing us from the embargo,

inflicted a wound on our interests which can never be cured, and on our affections which will require time to cicatrize. I ascribe all this to one pseudo-republican, Story. He came on (in place of Crowninshield, I believe) and staid only a few days; long enough, however, to get complete hold of Bacon, who, giving in to his representations, became panic-struck, and communicated his panic to his colleagues, and they to a majority of the sound members of Congress. They believed in the alternative of repeal or civil war, and produced the fatal measure of repeal. This is the immediate parent of all our present evils, and has reduced us to a low standing in the eyes of the world. I should think that even the federalists themselves must now be made, by their feelings, sensible of their error. The wealth which the embargo brought home safely, has now been thrown back into the laps of our enemies, and our navigation completely crushed, and by the unwise and unpatriotic conduct of those engaged in it. Should the orders prove genuine, which are said to have been given against our fisheries, they too are gone; and if not true as yet, they will be true on the first breeze of success which England shall feel, for it has now been some years that I am perfectly satisfied her intentions have been to claim the ocean as her conquest, and prohibit any vessel from navigating it, but on such a tribute as may enable her to keep up such a standing navy as will maintain her dominion over it. She has hauled in, or let herself

out, been bold or hesitating, according to occurrences, but has in no situation done anything which might amount to a relinquishment of her intentions. I have ever been anxious to avoid a war with England, unless forced by a situation more losing than war itself. But I did believe we could coerce her to justice by peaceable means, and the embargo, evaded as it was, proved it would have coerced her had it been honestly executed. The proof she exhibited on that occasion, that she can exercise such an influence in this country as to control the will of its government and three-fourths of its people, and oblige the three-fourths to submit to one-fourth, is to me the most mortifying circumstance which has occurred since the establishment of our government. The only prospect I see of lessening that influence, is in her own conduct, and not from anything in our power. Radically hostile to our navigation and commerce, and fearing its rivalry, she will completely crush it, and force us to resort to agriculture, not aware that we shall resort to manufactures also, and render her conquests over our navigation and commerce useless, at least, if not injurious to herself in the end, and perhaps salutary to us, as removing out of our way the chief causes and provocations to war.

But these are views which concern the present and future generation, among neither of which I count myself. You may live to see the change in our pursuits, and chiefly in those of your own

State, which England will effect. I am not certain that the change on Massachusetts, by driving her to agriculture, manufactures and emigration, will lessen her happiness. But once more to be done with politics. How does Mrs. Dearborn do? How do you both like your situation? Do you amuse yourself with a garden, a farm, or what? That your pursuits, whatever they be, may make you both easy, healthy and happy, is the prayer of your sincere friend.

TO JUDGE THOMAS COOPER.

MONTICELLO, August 6, 1810.

DEAR SIR,—The tardiness of acknowledging the receipt of your favor of May 10th will I fear induce a presumption that I have been negligent of its contents, but I assure you I lost not a moment in endeavoring to fulfil your wishes in procuring a good geological correspondent in this State. I could not offer myself, because of all the branches of science it was the one I had the least cultivated. Our researches into the texture of our globe could be but so superficial, compared with its vast interior construction, that I saw no safety of conclusion from the one, as to the other; and therefore have pointed my own attentions to other objects in preference, as far as a heavy load of business would permit me to attend to anything else. Looking about, therefore, among my countrymen for some one who

might answer your views, I fixed on Mr. Joseph C. Cabell, not long since returned from France, where he had attended particularly to chemistry, and had also attended Mr. Maclure in some of his geological expeditions, as best qualified. I wrote to him; unfortunately he was from home, and did not return till the latter end of July. I received his answer since our last post only. A diffidence in his qualifications to be useful to you, has induced him to decline the undertaking, having, as he assures me, paid no particular attention to that branch of science. I have in vain looked over our State for some other person who might contribute to your views. As yet I can think of nobody; and whatever may be the result of further inquiry, I have thought I ought not longer to delay informnig you of my unsuccessful efforts so far. Should I be able to find a subject worthy of your correspondence, I shall not fail to engage him in it, and to give you notice. I thank you for the case of Dempsy *v.* the Insurers, which I have read with great pleasure, and entire conviction. Indeed it is high time to withdraw all respect from courts acting under the arbitrary orders of governments who avow a total disregard to those moral rules which have hitherto been acknowledged by nations, and have served to regulate and govern their intercourse. I should respect just as much the rules of conduct which governed Cartouche or Blackbeard, as those now acted on by France or England. If your argument is defective in anything, it is in having

paid to the antecedent decisions of the British courts of admiralty, the respect of examining them on grounds of reason; and the not having rested the decision at once on the profligacy of those tribunals, and openly declared against permitting their sentences to be ever more quoted or listened to until those nations return to the practice of justice, to an acknowledgment that there is a moral law which ought to govern mankind, and by sufficient evidences of contrition for their present flagitiousness, make it safe to receive them again into the society of civilized nations. I hope this will still be done on a proper occasion. Yet knowing that religion does not furnish grosser bigots than law, I expect little from old judges. Those now at the bar may be bold enough to follow reason rather than precedent, and may bring that principle on the bench when promoted to it; but I fear this effort is not for my day. It has been said that when Harvey discovered the circulation of the blood, there was not a physician of Europe of forty years of age, who ever assented to it. I fear you will experience Harvey's fate. But it will become law when the resent judges are dead. Wishing you health and happiness at all times, accept the assurances of my constant and great esteem and respect.

TO COLONEL WILLIAM DUANE.

MONTICELLO, August 12, 1810.

SIR,—Your letter of July 16th has been duly received, with the paper it enclosed, for which accept my thanks, and especially for the kind sentiments expressed towards myself. These testimonies of approbation, and friendly remembrance, are the highest gratifications I can receive from any, and especially from those in whose principles and zeal for the public good I have confidence. Of that confidence in yourself the military appointment to which you allude was sufficient proof, as it was made, not on the recommendations of others, but on our own knowledge of your principles and qualifications. While I cherish with feeling the recollections of my friends, I banish from my mind all political animosities which might disturb its tranquillity, or the happiness I derive from my present pursuits. I have thought it among the most fortunate circumstances of my late administration that, during its eight years continuance, it was conducted with a cordiality and harmony among all the members, which never were ruffled on any, the greatest or smallest occasion. I left my brethren with sentiments of sincere affection and friendship, so rooted in the uniform tenor of a long and intimate intercourse, that the evidence of my own senses alone ought to be permitted to shake them. Anxious, in my retirement, to enjoy undisturbed repose, my

knowledge of my successor and late coadjutors, and my entire confidence in their wisdom and integrity, were assurances to me that I might sleep in security with such watchmen at the helm, and that whatever difficulties and dangers should assail our course, they would do what could be done to avoid or surmount them. In this confidence I envelope myself, and hope to slumber on to my last sleep. And should difficulties occur which they cannot avert, if we follow them in phalanx, we shall surmount them without danger.

I have been long intending to write to you as one of the associated company for printing useful works.

Our laws, language, religion, politics and manners are so deeply laid in English foundations, that we shall never cease to consider their history as a part of ours, and to study ours in that as its origin. Every one knows that judicious matter and charms of style have rendered Hume's history the manual of every student. I remember well the enthusiasm with which I devoured it when young, and the length of time, the research and reflection which were necessary to eradicate the poison it had instilled into my mind. It was unfortunate that he first took up the history of the Stuarts, became their apologist, and advocated all their enormities. To support his work, when done, he went back to the Tudors, and so selected and arranged the materials of their history as to present their arbitrary acts only, as the genuine samples of the constitutional power of the

crown, and, still writing backwards, he then reverted to the early history, and wrote the Saxon and Norman periods with the same perverted view. Although all this is known, he still continues to be put into the hands of all our young people, and to infect them with the poison of his own principles of government. It is this book which has undermined the free principles of the English government, has persuaded readers of all classes that these were usurpations on the legitimate and salutary rights of the crown, and has spread universal toryism over the land. And the book will still continue to be read here as well as there. Baxter, one of Horne Tooke's associates in persecution, has hit on the only remedy the evil admits. He has taken Hume's work, corrected in the text his misrepresentations, supplied the truths which he suppressed, and yet has given the mass of the work in Hume's own words. And it is wonderful how little interpolation has been necessary to make it a sound history, and to justify what should have been its title, to wit, "Hume's history of England abridged and rendered faithful to fact and principle." I cannot say that his amendments are either in matter or manner in the fine style of Hume. Yet they are often unperceived, and occupy so little of the whole work as not to depreciate it. Unfortunately he has *abridged* Hume, by leaving out all the less important details. It is thus reduced to about one-half its original size. He has also continued the history, but very summarily, to 1801. The whole

work is of 834 quarto pages, printed close, of which the continuation occupies 283. I have read but little of this part. As far as I can judge from that little, it is a mere chronicle, offering nothing profound. This work is so unpopular, so distasteful to the present Tory palates and principles of England, that I believe it has never reached a second edition. I have often inquired for it in our book shops, but never could find a copy in them, and I think it possible the one I imported may be the only one in America. Can we not have it re-printed here? It would be about four volumes 8vo.

I have another enterprise to propose for some good printer. I have in my possession a MS. work in French, confided to me by a friend, whose name alone would give it celebrity were it permitted to be mentioned. But considerations insuperable forbid that. It is a Commentary and Review of Montesquieu's Spirit of Laws. The history of that work is well known. He had been a great reader, and had commonplaced everything he read. At length he wished to undertake some work into which he could bring his whole commonplace book in a digested form. He fixed on the subject of his Spirit of Laws, and wrote the book. He consulted his friend Helvetius about publishing it, who strongly dissuaded it. He published it, however, and the world did not confirm Helvetius' opinion. Still, every man who reflects as he reads, has considered it as a book of paradoxes; having, indeed, much of truth

and sound principle, but abounding also with inconsistencies, apocryphal facts and false inferences. It is a correction of these which has been executed in the work I mention, by way of commentary and review; not by criticising words or sentences, but by taking a book at a time, considering its general scope and proceeding to confirm or confute it. And much of confutation there is, and of substitution of true for false principle, and the true principle is ever that of republicanism. I will not venture to say that every sentiment in the book will be approved, because, being in manuscript, and the French characters, I have not read the whole, but so much only as might enable me to estimate the soundness of the author's way of viewing his subject; and, judging from that which I have read, I infer with confidence that we shall find the work generally worthy of our high approbation, and that it everywhere maintains the preëminence of representative government, by showing that its foundations are laid in reason, in right, and in general good. I had expected this from my knowledge of the other writings of the author, which have always a precision rarely to be met with. But to give you an idea of the manner of its execution, I translate and enclose his commentary on Montesquieu's eleventh book, which contains the division of the work. I wish I could have added his review at the close of the twelve first books, as this would give a more complete idea of the extraordinary merit of the work. But it is too long to

be copied. I add from it, however, a few extracts of his reviews of some of the books, as specimens of his plan and principles. If printed in French, it would be of about 180 pages 8vo, or 23 sheets. If any one will undertake to have it translated and printed on their own account, I will send on the MS. by post, and they can take the copyright as of an original work, which it ought to be understood to be. I am anxious it should be ably translated by some one who possesses style as well as capacity to do justice to abstruse conceptions. I would even undertake to revise the translation if required. The original sheets must be returned to me, and I should wish the work to be executed with as little delay as possible.

I close this long letter with assurances of my great esteem and respect.

TO ALBERT GALLATIN.

MONTICELLO, August 16, 1810.

DEAR SIR,—Yours of July 14th, with the welcome paper it covered, has been most thankfully received. I had before received from your office and that of State, all the printed publications on the subject of the batture, that is to say, the opinion of the Philadelphia lawyers and of G. Livingston himself, the publications of Derbigny, Thierry, Poydras, and the *pieces probantes*. I had been very anxious to get Moreau's Memoire, which is only in manuscript,

having heard it was the best of all. After waiting long and in vain for it, I was informed by my counsel that they were ruled to plead, and must be furnished with the grounds of defence. I was obliged, therefore, to take up the subject—had got through it and put it into the hands of Mr. Hay, when the observations you were so kind as to furnish, came to hand. Although it was too late to give to everything its shape which these, at an earlier stage, might have suggested, I was still enabled to avail myself of them usefully. The question of the chancery jurisdiction of the Orleans judges had particularly escaped me, and entirely. When Mr. Hay returned the paper therefore, I was enabled, by re-copying a sheet or two at the close, to introduce this question in its proper place. I had also, till then, been uninformed of the circumstances under which Bertrand Gravier left France, and therefore had not been aware of the reasons for which John Gravier had chosen to come in by purchase. This information enabled me to extend and strengthen much of what I had before said on that subject; and by interleaving and re-copying a part, to get that also into its proper place. On the whole, you will see, with the benefit of these amendments, what I had conceived to be a true statement of the fact and law of the case. But the paper is very voluminous, and I could not shorten it. It is now in the hands of the President, who will enclose it to you by the same post which carries this; when you shall have perused it, be so good as

to re-enclose it to me, as I wish to submit it to our other fellow laborers, after such amendments as Mr. Madison and yourself will be so good as to suggest. I wish the ground I take to meet all your approbations. The uninformed state in which the debates of the last session proved Congress to be, as to this case, makes me fear they may, at the next, under the intrigues and urgency of Livingston, be induced to take some step which might have an injurious effect on the opinion of a jury. I think, therefore, to ask a member or two of each house to read this statement, merely to make themselves masters of the subject, and be enabled to prevent any unfavorable interference of Congress. Perhaps, if they see the case in the light I do, they may think of doing more—of having the Attorney General desired to attend to the case as of public concern: for really it is so. I have no concern at all in maintaining the title to the batture. It would be totally unnecessary for me to employ counsel to go into the question at all for my own defence. That is solidly built on the simple fact, that if I were in error, it was honest, and not imputable to that gross and palpable corruption or injustice which makes a public magistrate responsible to a private party. I know that even a federal jury could not find a verdict against me on this head. But I go fully into the question of title, because our characters are concerned in it, and because it involves a most important right of the citizens, and one which, if decided against them,

would be a precedent of incalculable evil. The detention, too, has been so long the act of Congress itself that for this reason I have supposed they might think it entitled to their attention, and direct the Attorney General to take care of the public interest in it, as has lately been done by the House of Commons, in the action of Sir Francis Burdett against their Speaker. But on this subject I wish to be advised by yourself and my other friends, rather than trust to my own judgment, too likely to be under bias. If I send the case to be perused by two or three members, it will be under a strong injunction not to let its contents get into other hands, my counsel having strongly advised against apprising them of the topics of defence, as well from apprehensions of subornation of witnesses as to material facts, as from other considerations. Pray advise me on this head. My counsel are Hay, Wirt and Tazewell.

I have seen with infinite grief the set which is made at you in the public papers, and with the more as my name has been so much used in it. I hope we both know one another too well to receive impression from circumstances of this kind. A twelve years' intimate and friendly intercourse must be better evidence to each of the dispositions of the other than the letters of foreign ministers to their courts, or tortured influences from facts true or false. I have too thorough a conviction of your cordial good will towards me, and too strong a sense of the faithful

and able assistance I received from you, to relinquish them on any evidence but of my own senses. With entire faith in your assurance of these truths, I shall add those only of my constant affection and high respect.

TO COLONEL WILLIAM DUANE.

MONTICELLO, September 16, 1810.

DEAR SIR,—Your favor of August 17th arrived the day after I had left this place on a visit to one I have near Lynchburg, from whence I am but lately returned. The history of England you describe is precisely Baxter's, of which I wrote you; and if you compare him with Hume, you will find the text preserved verbatim, with particular exceptions only. The French work will accompany this letter. Since writing to you I have gone over the whole, and can assure you it is the most valuable political work of the present age. In some details we all may differ from him or from one another, but the great mass of the work is highly sound. Its title would be "A Commentary on Montesquieu's Spirit of Laws;" perhaps the words "and Review" might be inserted at the ———. Helvetius' letter on the same work should be annexed, if it can possibly be procured. It was contained in a late edition of the works of Helvetius published by the Abbé de la Roche. Probably that edition might be found. I never before heard of Williams' lectures on Montesquieu

but I am glad to hear of everything which reduces that author to his just level, as his predilection for monarchy, and the English monarchy in particular, has done mischief everywhere, and here also, to a certain degree. With respect to the Notes on Virginia, I do contemplate some day the making additions and corrections to them; but I am inclined to take the benefit of my whole life to make collections and observations, and let the editing them be posthumous. The anecdote respecting the paper put into my hands by Dr. Franklin has not been handed to you with entire correctness. I returned from France in December, 1789, and in March following I went on to New York to take the post assigned me in the new government. On my way through Philadelphia I called on Dr. Franklin, who was then confined to his bed. As the revolution had then begun, indeed was supposed to be closed by the completion of a constitution, and he was anxious to know the part all his acquaintances had taken, he plied me with questions for an hour or two with a vivacity and earnestness which astonished me. When I had satisfied his inquiries, I observed to him that I had heard, and with great pleasure, that he had begun the history of his own life, and had brought it down to the revolution (for so I had heard while in Europe). "Not exactly so," said he, "but I will let you see the manner in which I do these things." He then desired one of his small grandchildren who happened to be in the room, to bring him such a

paper from the table. It was brought, and he put it into my hands and said, "There, put that into your pocket and you will see the manner of my writing." I thanked him and said "I should read it with great pleasure, and return it to him safely." "No," said he, "keep it." I took it with me to New York. It was, as well as I recollect, about a quire of paper, in which he had given, with great minuteness, all the details of his negotiations (informal) in England, to prevent their pushing us to extremities. These were chiefly through Lord Howe and a lady, I think the sister of Lord Howe, but of this I am not certain; but I remember noting the particulars of her conversation as marking her as a woman of very superior understanding. He gave all the conversations with her and Lord Howe, and all the propositions he passed through them to their minister, the answers and conversations with the minister reported through them, his endeavors used with other characters, whether with the ministers directly I do not recollect; but I remember well that it appeared distinctly from what was brought to him from the ministers, that the real obstacle to their meeting the various overtures he made was the prospect of great confiscations to provide for their friends, and that this was the real cause of the various shiftings and shufflings they used to evade his propositions. Learning, on his death, which happened soon after, that he had bequeathed all his unpublished writings to his grandson, W. T. Franklin, with a view to the emolument

he might derive from their publication, I thought this writing was fairly his property, and notified to him my possession of it, and that I would deliver it to his order. He soon afterwards called on me at New York, and I delivered it to him. He accepted it, and, while putting it into his pocket, observed that his grandfather had retained another copy which he had found among his papers. I did not reflect on this till suspicions were circulated that W. T. F. had sold these writings to the British Minister. I then formed the belief that Dr. Franklin had meant to deposit this spare copy with me in confidence that it would be properly taken care of, and sincerely repented the having given it up; and I have little doubt that this identical paper was the principal object of the purchase by the British government, and the unfortunate cause of the suppression of all the rest. I do not think I have any interesting papers or facts from Dr. Franklin. Should any occur at any time, I will communicate them freely, nobody wishing more ardently that the public could be possessed of everything that was his or respected him, believing that a greater or better character has rarely existed. I am happy to learn that his blood shows itself in the veins of the two of his great-grandchildren whom you mention. But I should think medicine the best profession for a genius resembling his, as that of the elder is supposed to do. I have received information of Pestalozzi's mode of education from some European publica-

tions, and from Mr. Keefe's book which shows that the latter possesses both the talents and the zeal for carrying it into effect. I sincerely wish it success, convinced that the information of the people at large can alone make them the safe, as they are the sole depository of our political and religious freedom. The idea of antimony in this neighborhood is, I believe, without foundation. Some twenty or thirty years ago a mineral was found about ten miles from this place, which one of those idle impostors, who cal themselves mine-hunters, persuaded the proprietor was gold ore. The poor man lost a crop in digging after it. After fruitless assays of the mineral, some other person, knowing as little of the matter, fancied it must be antimony. A third idea was that it was black lead. It was abandoned, and the mine hole filled up, nor can we at this day hear of any piece of the mineral in possession of any one.

You say in your letter that you will send me the *proofs* of the commentary on Montesquieu for revisal. It is only the *translation* I should wish to revise. I feel myself answerable to the author for a correct publication of his ideas. The translated sheets may come by post as they are finished off; they shall be promptly returned, the originals coming with them. Accept the assurances of my esteem and respect.

TO J. B. COLVIN.

MONTICELLO, September 20, 1810.

SIR,—Your favor of the 14th has been duly received, and I have to thank you for the many obliging things respecting myself which are said in it. If I have left in the breasts of my fellow citizens a sentiment of satisfaction with my conduct in the transaction of their business, it will soften the pillow of my repose through the residue of life.

The question you propose, whether circumstances do not sometimes occur, which make it a duty in officers of high trust, to assume authorities beyond the law, is easy of solution in principle, but sometimes embarrassing in practice. A strict observance of the written laws is doubtless *one* of the high duties of a good citizen, but it is not *the highest*. The laws of necessity, of self-preservation, of saving our country when in danger, are of higher obligation. To lose our country by a scrupulous adherence to written law, would be to lose the law itself, with life, liberty, property and all those who are enjoying them with us; thus absurdly sacrificing the end to the means. When, in the battle of Germantown, General Washington's army was annoyed from Chew's house, he did not hesitate to plant his cannon against it, although the property of a citizen. When he besieged Yorktown, he leveled the suburbs, feeling that the laws of property must be postponed to the safety of the nation. While the army was

before York, the Governor of Virginia took horses, carriages, provisions and even men by force, to enable that army to stay together till it could master the public enemy; and he was justified. A ship at sea in distress for provisions, meets another having abundance, yet refusing a supply; the law of self-preservation authorizes the distressed to take a supply by force. In all these cases, the unwritten laws of necessity, of self-preservation, and of the public safety, control the written laws of *meum* and *tuum*. Further to exemplify the principle, I will state an hypothetical case Suppose it had been made known to the Executive of the Union in the autumn of 1805, that we might have the Floridas for a reasonable sum, that that sum had not indeed been so appropriated by law, but that Congress were to meet within three weeks, and might appropriate it on the first or second day of their session. Ought he, for so great an advantage to his country, to have risked himself by transcending the law and making the purchase? The public advantage offered, in this supposed case, was indeed immense; but a reverence for law, and the probability that the advantage might still be *legally* accomplished by a delay of only three weeks, were powerful reasons against hazarding the act. But suppose it foreseen that a John Randolph would find means to protract the proceeding on it by Congress, until the ensuing spring, by which time new circumstances would change the mind of the other party. Ought the

Executive, in that case, and with that foreknowledge, to have secured the good to his country, and to have trusted to their justice for the transgression of the law? I think he ought, and that the act would have been approved. After the affair of the Chesapeake, we thought war a very possible result. Our magazines were illy provided with some necessary articles, nor had any appropriations been made for their purchase. We ventured, however, to provide them, and to place our country in safety; and stating the case to Congress, they sanctioned the act.

To proceed to the conspiracy of Burr, and particularly to General Wilkinson's situation in New Orleans. In judging this case, we are bound to consider the state of the information, correct and incorrect, which he then possessed. He expected Burr and his band from above, a British fleet from below, and he knew there was a formidable conspiracy within the city. Under these circumstances, was he justifiable, 1st, in seizing notorious conspirators? On this there can be but two opinions: one, of the guilty and their accomplices; the other, that of all honest men. 2d. In sending them to the seat of government, when the written law gave them a right to trial in the territory? The danger of their rescue, of their continuing their machinations, the tardiness and weakness of the law, apathy of the judges, active patronage of the whole tribe of lawyers, unknown disposition of the juries, an hourly expectation of the enemy, salvation of the city, and

of the Union itself, which would have been convulsed to its centre, had that conspiracy succeeded; all these constituted a law of necessity and self-preservation, and rendered the *salus populi* supreme over the written law. The officer who is called to act on this superior ground, does indeed risk himself on the justice of the controlling powers of the Constitution, and his station makes it his duty to incur that risk. But those controlling powers, and his fellow citizens generally, are bound to judge according to the circumstances under which he acted. They are not to transfer the information of this place or moment to the time and place of his action; but to put themselves into his situation. We knew here that there never was danger of a British fleet from below, and that Burr's band was crushed before it reached the Mississippi. But General Wilkinson's information was very different, and he could act on no other.

From these examples and principles you may see what I think on the question proposed. They do not go to the case of persons charged with petty duties, where consequences are trifling, and time allowed for a legal course, nor to authorize them to take such cases out of the written law. In these, the example of overleaping the law is of greater evil than a strict adherence to its imperfect provisions. It is incumbent on those only who accept of great charges, to risk themselves on great occasions, when the safety of the nation, or some of its very high interests

are at stake. An officer is bound to obey orders; yet he would be a bad one who should do it in cases for which they were not intended, and which involved the most important consequences. The line of discrimination between cases may be difficult; but the good officer is bound to draw it at his own peril, and throw himself on the justice of his country and the rectitude of his motives.

I have indulged freer views on this question, on your assurances that they are for your own eye only, and that they will not get into the hands of newswriters. I met their scurrilities without concern, while in pursuit of the great interests with which I was charged. But in my present retirement, no duty forbids my wish for quiet.

Accept the assurances of my esteem and respect.

TO THE SECRETARY OF STATE (ROBERT SMITH).

MONTICELLO, September 22, 1810.

DEAR SIR,—I have wanted the occasion of the present enclosure to perform the duty of my thanks for the kind communication of papers from your office in the question between Livingston and myself. These have mainly enabled me to give a correct statement of facts. I deferred proceeding to a particular consideration of the case in hopes of the aid of Moreau's Memoire, which I have understood to be the ablest which has been written. But I was

at length forced to proceed without it, my counsel informing me they were ruled to plead, and must therefore know the grounds of defence. You will see what I have made of it by the enclosed, which I forward in the hope you will consider and correct it. I have done this the rather because I presume all my fellow laborers feel an interest in what all approved, and because I think I should urge nothing which they disapprove. Will you then do me the favor to put on paper such corrections as you would advise, and forward them to me, handing on the enclosed paper at the same time to Mr. Rodney? I wrote him by this post that he may expect it from you, and I ask the same favor of correction from him, and above all to delay as little as possible, because time presses to give to this paper its ultimate form. My counsel press me earnestly not to let the topics of defence get out, so as to be known to the adversary. Although I know Congress will be strongly urged, yet I hope they will take no measure which may impress a jury unfavorably, by inferences not intended. And were the case to be thought to belong to the public, still I believe it better they should let it come on, on the footing of a private action. I pray you to be assured of my constant affection and respect.

September 26th. Sent a P. S. verbatim, the same as that to Mr. Rodney.

TO THE ATTORNEY GENERAL OF THE UNITED STATES (CÆSAR A. RODNEY).

MONTICELLO, September 25, 1810.

DEAR SIR,—I have to thank you for your kind letter of June 8th, and the suggestions it furnished on the question whether Livingston could maintain an action in Richmond for a trespass committed in Orleans. This being a question of common law, I leave it to my counsel so much more recent than I am in that branch of law. I have undertaken to furnish them with the grounds of my defence under the *lex loci*. I wished for the aid of Moreau's Memoire because it is understood to be the ablest of any. However, my counsel being ruled to plead, and pressing me for the grounds of defence, I proceeded to consider the case, meaning at first only an outline, but I got insensibly into the full discussion, which became very voluminous, and the more so as it was necessary not only to enter all the authorities at large in the text, because few possess them, but also translations of them, because all do not understand all the languages in which they are. Believing my late associates in the executive would feel an interest in the justification of a conduct in which all concurred, and also in the issue of it, I have thought it a duty to consult them as to the grounds to be taken, and to take none against their advice. My statement has therefore been submitted to the President, Mr. Smith and Mr. Gallatin, and

will be forwarded to you by Mr. Smith as soon as he shall have read it. I have to request your consideration and corrections of it, and that you will be so good as to furnish them on a separate paper. I am obliged also to ask an immediate attention to them, because time presses to give to this paper its ultimate shape, to plead, and collect the evidence. Its early return to me therefore is urging. I do not know whether my counsel (Hay, Wirt and Tazewell) have pleaded to the jurisdiction. * * * * * * The death of Cushing is opportune, as it gives an opening for at length getting a republican majority on the supreme bench. Ten years has the anticivism of that body been bidding defiance to the spirit of the whole nation, after they had manifested their will by reforming every other branch of the government. I trust the occasion will not be lost; Bidwell's disgrace withdraws the ablest man of the section in which Cushing's successor must be named. The pure integrity, unimpeachable conduct, talents and republican firmness of Lincoln, leave him now, I think, without a rival. He is thought not an able *common* lawyer. But there is not and never was an able one in the New England States. Their system is *sui generis*, in which the common law is little attended to. Lincoln is one of the ablest in their system, and it is among them he is to execute the great portion of his duties. Nothing is more material than to complete the reformation of the government by this appointment, which may truly be said

to be putting the keystone into the arch. In my statement of the law of Livingston's case, I do not pretend to consider every argument as perfectly sound. I have, as is usual, availed myself of some views, which may have a weight with others which they have not with me. I have no right to assume infallibility, and I present them, therefore, *ut valeant ubi possint*. Accept the assurances of my constant and affectionate esteem.

P. S. September 26. In my letter of yesterday, I have omitted to observe, with respect to the arrangement of materials in the paper it speaks of, that it is not such as counsel would employ in pleading a cause. It was determined by other considerations. I thought it very possible the case might be dismissed out of court by a plea to the jurisdiction. I determined, on this event, to lay it before the public, either directly or through Congress. Respect for my associates, for myself, for our nation, would not permit me to come forward, as a criminal under accusation, to plead and argue a cause. This was not my situation. This would naturally be by way of narrative or statement of the facts in their order of time, establishing these facts as they occur, and bringing forward the law arising on them, and pointing to the Executive the course he was to pursue. I supposed it more dignified to present it as a history and explanation of what had taken place. It does not, indeed, in that form, display the subject in one

great whole, but it brings forward successively a number of questions, solving themselves as they arise, and leaving no one unexamined. And the mind, after travelling over the whole case, and finding as it goes along that all has been considered and all is right, rests in that state of satisfaction which it is our object to produce. In truth, I have never known a case which presented so many distinct questions, having no dependence on one another, nor belonging even to the same branches of jurisprudence.

TO ALBERT GALLATIN.

MONTICELLO, September 27, 1810.

DEAR SIR,—Yours of the 10th came safely to hand, and laid me under new obligations for the valuable observations it contained. The error of twelve feet instead of seven, for the rise of the batture, really *sautoit aux yeux*, and how I could have committed it at first, or passed it over afterwards without discovery, and having copied Pelletier's plan myself, is unaccountable. I have adopted also most of your other corrections. You observe that the arguments proving the batture public, yet prove it of such a character that it could not be within the scope of the law of March 4th, against squatters. I should so adjudge myself; yet I observe many opinions otherwise, and in defence against a spadassin, it is lawful to use all weapons. Besides, I have no pretensions

to be exclusively the judge of what arguments are sound and what not. I give them, therefore, that they may weigh with those who think they have weight and have a right to decide for themselves. That act of Congress, moreover, was evidently respected, particularly in the order under which the removal was made.

With respect to the arrangement of materials in my statement, I know it is not such as counsel would employ in pleading such a cause; it is not such as I would have made myself in that character; it was determined by other considerations. I thought it possible the case might be dismissed out of court by a plea to the jurisdiction. I determined, on this event, to lay it before the public, either directly or through Congress. Respect for my associates, for myself, for our nation, would not permit me to come forward, as a criminal under accusation, to plead and argue a cause. This was not my situation. I had only to state to my constituents a common transaction. This would naturally be by way of narrative or statement of the facts, in their order of time, establishing these facts as they occur, and bringing forward the law arising on them and pointing to the Executive the course he was to pursue. I suppose it more self-respectful to present it as a history and explanation of what had taken place. It does not, indeed, in that form, display the subject in one great whole, but it brings forward successively a number of questions, solving

themselves as they arise, and leaving no one unexamined. And the mind, after travelling over the whole case, and finding as it goes along that all has been considered, and all is right, rests in that state of satisfaction which it is our object to produce. In truth, I have never known a case which presented so many distinct questions, having no dependence on one another, nor belonging even to the same branches of jurisprudence. After all, I offer this as explanation, not justification, of the order adopted.

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At length, then, we have a chance of getting a republican majority in the supreme judiciary. For ten years has that branch braved the spirit and will of the nation, after the nation had manifested its will by a complete reform in every branch depending on them. The event is a fortunate one, and so timed as to be a God-send to me. I am sure its importance to the nation will be felt, and the occasion employed to complete the great operation they have so long been executing, by the appointment of a decided republican, with nothing equivocal about him. But who will it be? The misfortune of Bidwell removes an able man from the competition. Can any other bring equal qualifications to those of Lincoln? I know he was not deemed a profound common lawyer; but was there ever a profound common lawyer known in any of the Eastern States? There never was, nor never can be one from those States. The basis of their law is neither common

nor civil; it is an original, if any compound can so be called. Its foundation seems to have been laid in the spirit and principles of Jewish law, incorporated with some words and phrases of common law, and an abundance of notions of their own. This makes an *amalgam sui generis*, and it is well known that a man, first and thoroughly initiated into the principles of one system of law, can never become pure and sound in any other. Lord Mansfield was a splendid proof of this. Therefore, I say, there never was nor can be, a profound common lawyer from those States. Sullivan had the reputation of preëminence there as a common lawyer. But we have his history of land titles, which gives us his measure. Mr. Lincoln is, I believe, considered as learned in their laws as any one they have. Federalists say that Parsons is better. But the criticalness of the present nomination puts him out of the question. As the great mass of the functions of the new judge are to be performed in his own district, Lincoln will be most unexceptionable and acceptable there; and on the supreme bench equal to any one who can be brought from thence; add to this his integrity, political firmness and unimpeachable character, and I believe no one can be found to whom there will not be more serious objections.

You seem to think it would be best to ascertain the probable result before making a proposition to Congress to defend Livingston's suit. On mature consideration I think it better that no such propo-

sition should be made. The debates there would fix the case as a party one, and we are the minority in the judiciary department, and especially in the federal branch of it here. Till Congress can be thoroughly put in possession of all the points in the case, it is best they should let it lie. Livingston, by removing it into the judiciary, has fairly relinquished all claims on their interference. I am confident that Congress will act soundly, whenever we can give them a knowledge of the whole case. But I tire you with this business, and end therefore with repeating assurances of my constant attachment and respect.

TO CAPTAIN ISAAC HILLARD.

MONTICELLO, October 9, 1810.

SIR,—I duly received your letter of September 10th, and return you thanks for that and the pamphlet you were so kind as to enclose me. The health you enjoy at so good an old age, and the strength of mind evidenced in your pamphlet, are subjects of congratulation to yourself and of thankfulness to Him who gives them. I am sorry that a professor of religion should have given occasion for such a censure. It proves he has much to conquer in his own uncharitableness, and that it is not from him his flock are to learn not to bear false witness against their neighbor. But as to so much of his pulpit philippic as concerns myself I freely

forgive him; for I feel no falsehood and fear no truth. That you may long continue to enjoy health, happiness and a sound mind, is my sincere prayer.

TO COLONEL WILLIAM DUANE.

MONTICELLO, November 13, 1810.

DEAR SIR,—Your third packet is received before the second had been returned. It is now enclosed, and the other shall go by the next post. I find, as before, nothing to correct but those errors of the copyist which you would have corrected yourself before committed to the press. If it were practicable to send me the original sheets with the translated, perhaps my equal familiarity with both languages might enable me sometimes to be of some advantage; but I presume that might be difficult, and of little use, scarcely perhaps of any. I thank you for the copy of Williams. I have barely dipped into it a little. Enough, however, to see he is far short of the luminous work you are printing. Indeed I think that the most valuable work of the present age. I received from Williams, some years ago, his book on the claims of authors. I found him to be a man of sound and true principles, but not knowing how to go at them, and not able to trace or develop them for others. I believe with you that the crisis of England is come. What will be its issue it is vain to prophesy; so many thousand contingencies may turn up to affect its direction.

Were I to hazard a guess, it would be that they will become a military despotism. Their recollections of the portion of liberty they have enjoyed will render force necessary to retain them under pure monarchy. Their pressure upon us has been so severe and so unprincipled, that we cannot deprecate their fate, though we might wish to see their naval power kept up to the level of that of the other principal powers separately taken. But may it not take a very different turn? Her paper credit annihilated, the precious metals must become her circulating medium. The taxes which can be levied on her people in these will be trifling in comparison with what they could pay in paper money; her navy then will be unpaid, unclothed, unfed. Will such a body of men suffer themselves to be dismissed and to starve? Will they not mutiny, revolt, embody themselves under a popular admiral, take possession of Western and Bermuda islands, and act on the Algerine system? If they should not be able to act on this broad scale, they will become individual pirates; and the modern Carthage will end as the old one has done. I am sorry for her people, who are individually as respectable as those of other nations—it is her government which is so corrupt, and which has destroyed the nation—it was certainly the most corrupt and unprincipled government on earth. I should be glad to see their farmers and mechanics come here, but I hope their nobles, priests, and merchants will be kept at home to be moralized

by the discipline of the new government. The young stripling whom you describe is, probably, as George Nicholas used to say, "in the plenitude of puppyism." Such coxcombs do not serve even as straws to show which way the wind blows. Alexander is unquestionably a man of an excellent heart, and of very respectable strength of mind; and he is the only sovereign who cordially loves us. Bonaparte hates our government because it is a living libel on his. The English hate us because they think our prosperity filched from theirs. Of Alexander's sense of the merits of our form of government, of its wholesome operation on the condition of the people, and of the interest he takes in the success of our experiment, we possess the most unquestionable proofs; and to him we shall be indebted if the rights of neutrals, to be settled whenever peace is made, shall be extended beyond the present belligerents; that is to say, European neutrals, as George and Napoleon, of mutual consent and common hatred against us, would concur in excluding us. I thought it a salutary measure to engage the powerful patronage of Alexander at conferences for peace, at a time when Bonaparte was courting him; and although circumstances have lessened its weight, yet it is prudent for us to cherish his good dispositions, as those alone which will be exerted in our favor when that occasion shall occur. He, like ourselves, sees and feels the atrociousness of both the belligerents. I salute you with great esteem and respect.

TO JAMES RONALDSON.

MONTICELLO, December 3, 1810.

SIR,—I now return you the paper you were so kind as to enclose to me. The hint to the two belligerents of disarming each other of their auxiliaries, by opening asylums to them and giving them passages to this country, is certainly a good one. Bonaparte has mind enough to adopt it, but not the means. England, again, has the means but not mind enough; she would prefer losing an advantage over her enemy to giving one to us. It is an unhappy state of mind for her, but I am afraid it is the true one. She presents a singular phenomenon of an honest people whose constitution, from its nature, must render their government forever dishonest; and accordingly, from the time that Sir Robert Walpole gave the constitution that direction which its defects permitted, morality has been expunged from their political code. I think the paper might do good if published, and could do no harm. It cannot lessen our means of availing ourselves of the same resource in case of our being at war with either belligerent. The only difficulty in these cases (and in the revolutionary war we found it a great one) is the conveying the invitation to the adverse troops. Accept my salutations and assurances of respect.

TO DAVID HOWELL, ESQ.

MONTICELLO, December 15, 1810.

DEAR SIR,—Our last post brought me your friendly letter of November 27th. I learn with pleasure that republican principles are predominant in your State, because I conscientiously believe that governments founded in these are more friendly to the happiness of the people at large, and especially of a people so capable of self-government as ours. I have been ever opposed to the party so falsely called federalists, because I believe them desirous of introducing into our government authorities hereditary or otherwise independent of the national will. These always consume the public contributions, and oppress the people with labor and poverty. No one was more sensible than myself, while Governor Fenner was in the Senate, of the soundness of his political principles, and rectitude of his conduct. Among those of my fellow laborers of whom I had a distinguished opinion, he was one, and I have no doubt those among whom he lives, and who have already given him so many proofs of their unequivocal confidence in him, will continue so to do. It would be impertinent in me, a stranger to them, to tell them what they all see daily. My object too, at present, is peace and tranquillity, neither doing nor saying anything to be quoted, or to make me the subject of newspaper disquisitions. I read one or two newspapers a week, but

with reluctance give even that time from Tacitus and Horace, and so much other more agreeable reading; indeed, I give more time to exercise of the body than of the mind, believing it wholesome to both. I enjoy, in recollection, my ancient friendships, and suffer no new circumstances to mix alloy with them. I do not take the trouble of forming opinions on what is passing among them, because I have such entire confidence in their integrity and wisdom as to be satisfied all is going right, and that every one is doing his best in the station confided to him. Under these impressions, accept sincere assurances of my continued esteem and respect for yourself personally, and my best wishes for your health and happiness.

TO THOMAS LAW.

MONTICELLO, January 15, 1811.

DEAR SIR,—An absence from home of some length has prevented my sooner acknowledging the receipt of your letter, covering the printed pamphlet, which the same absence has as yet prevented me from taking up, but which I know I shall read with great pleasure. Your favor of December 22d, is also received.

Mr. Wagner's malignity, like that of the rest of his tribe of brother printers, who deal out calumnies for federal readers, gives me no pain. When a printer cooks up a falsehood, it is as easy to put it into the

mouth of a Mr. Fox, as of a smaller man, and safer into that of a dead than a living one. Your sincere attachment to this country, as well as to your native one, was never doubted by me; and in that persuasion, I felt myself free to express to you my genuine sentiments with respect to England. No man was more sensible than myself of the just value of the friendship of that country. There are between us so many of those circumstances which naturally produce and cement kind dispositions, that if they could have forgiven our resistance to their usurpations, our connections might have been durable, and have insured duration to both our governments. I wished, therefore, a cordial friendship with them, and I spared no occasion of manifesting this in our correspondence and intercourse with them; not disguising, however, my desire of friendship with their enemy also. During the administration of Mr. Addington, I thought I discovered some friendly symptoms on the part of that government; at least, we received some marks of respect from the administration, and some of regret at the wrongs we were suffering from their country. So, also, during the short interval of Mr. Fox's power. But every other administration since our Revolution has been equally wanton in their injuries and insults, and have manifested equal hatred and aversion. Instead, too, of cultivating the government itself, whose principles are those of the great mass of the nation, they have adopted the miserable policy of teazing and embar-

rassing it, by allying themselves with a faction here, not a tenth of the people, noisy and unprincipled, and which never can come into power while republicanism is the spirit of the nation, and that must continue to be so, until such a condensation of population shall have taken place as will require centuries. Whereas, the good will of the government itself would give them, and immediately, every benefit which reason or justice would permit it to give. With respect to myself, I saw great reason to believe their ministers were weak enough to credit the newspaper trash about a supposed personal enmity in myself towards England. This wretched party imputation was beneath the notice of wise men. England never did me a personal injury, other than in open war; and for numerous individuals there, I have great esteem and friendship. And I must have had a mind far below the duties of my station, to have felt either national partialities or antipathies in conducting the affairs confided to me. My affections were first for my own country, and then, generally, for all mankind; and nothing but minds placing themselves above the passions, in the functionaries of this country, could have preserved us from the war to which their provocations have been constantly urging us. The war interests in England include a numerous and wealthy part of their population; and their influence is deemed worth courting by ministers wishing to keep their places. Continually endangered by a powerful oppo-

sition, they find it convenient to humor the popular passions at the expense of the public good. The shipping interest, commercial interest, and their janizaries of the navy, all fattening on war, will not be neglected by ministers of ordinary minds. Their tenure of office is so infirm that they dare not follow the dictates of wisdom, justice, and the well-calculated interests of their country. This vice in the English constitution, renders a dependence on that government very unsafe. The feelings of their King, too, fundamentally adverse to us, have added another motive for unfriendliness in his ministers. This obstacle to friendship, however, seems likely to be soon removed; and I verily believe the successor will come in with fairer and wiser dispositions towards us; perhaps on that event their conduct may be changed. But what England is to become on the crush of her internal structure, now seeming to be begun, I cannot foresee. Her monied interest, created by her paper system, and now constituting a baseless mass of wealth equal to that of the owners of the soil, must disappear with that system, and the medium for paying great taxes thus failing, her navy must be without support. That it shall be supported by permitting her to claim dominion of the ocean, and to levy tribute on every flag traversing that, as lately attempted and not yet relinquished, every nation must contest, even *ad internecionem*. And yet, that retiring from this enormity, she should continue able to take a fair share in the

necessary equilibrium of power on that element, would be the desire of every nation.

I feel happy in withdrawing my mind from these anxieties, and resigning myself, for the remnant of life, to the care and guardianship of others. Good wishes are all an old man has to offer to his country or friends. Mine attend yourself, with sincere assurances of esteem and respect, which, however, I should be better pleased to tender you in person, should your rambles ever lead you into the vicinage of Monticello.

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